



Rialtas na hÉireann  
Government of Ireland

# National Broadband Plan

## Ireland's Broadband Intervention

### SEA Statement 2018



**European Union**  
European Regional  
Development Fund



Ireland's European Structural and  
Investment Funds Programmes  
2014-2020

Co-funded by the Irish Government  
and the European Union



Roinn Cumarsáide, Gníomhaithe ar son na hAeráide & Comhshaoil  
Department of Communications, Climate Action & Environment

# National Broadband Plan - Intervention Strategy

## SEA Statement

October 2018





## TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>3</b>
<b>2</b>	<b>SUMMARY OF KEY FACTS.....</b>	<b>4</b>
<b>3</b>	<b>SUMMARY OF SEA PROCESS .....</b>	<b>5</b>
3.1	SCREENING .....	5
3.2	SCOPING AND STATUTORY CONSULTATION .....	5
3.3	ENVIRONMENTAL ASSESSMENT AND ENVIRONMENTAL REPORT.....	6
3.3.1	Summary of Assessment .....	6
3.3.2	Statutory Consultation on Draft Intervention Strategy.....	8
3.4	SEA STATEMENT .....	8
3.5	APPROPRIATE ASSESSMENT .....	9
3.6	ADOPTION OF THE NATIONAL BROADBAND PLAN – INTERVENTION STRATEGY .....	10
<b>4</b>	<b>INTEGRATION OF THE SEA PROCESS.....</b>	<b>11</b>
4.1	HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN IMPLEMENTED .....	11
4.2	INTEGRATION OF ENVIRONMENTAL REPORT .....	12
4.3	HOW CONSULTATION FEEDBACK HAS INFLUENCED THE INTERVENTION STRATEGY .....	21
4.3.1	Key Issues Raised in Submissions Statutory Consultees .....	21
4.3.2	Key Issues Raised in Submissions received from Non Statutory Consultees .....	34
<b>5</b>	<b>PREFERRED SCENARIO AND REASON FOR CHOOSING THE FINAL INTERVENTION STRATEGY .....</b>	<b>35</b>
5.1	INTRODUCTION .....	35
5.2	APPROACH TO ALTERNATIVES FOR THE DRAFT INTERVENTION STRATEGY .....	35
5.2.1	Strategic Alternatives Considered .....	36
5.2.2	Market Forces versus State led Intervention .....	36
5.2.3	Technology Neutral Approach and the Types of Technology to Deliver the High Speed Broadband Services .....	37
5.3	PREFERRED STRATEGY AND REASONS FOR CHOOSING .....	45
<b>6</b>	<b>ASSESSMENT OF CHANGES TO INTERVENTION STRATEGY .....</b>	<b>48</b>
<b>7</b>	<b>MEASURES TO MONITOR SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE IMPLEMENTATION OF THE ADOPTED INTERVENTION STRATEGY .....</b>	<b>50</b>
<b>8</b>	<b>ADDENDUM TO ENVIRONMENTAL REPORT .....</b>	<b>54</b>
8.1	INTRODUCTION .....	54

8.2	AMENDMENTS BY CHAPTER.....	54
	Non-Technical Summary .....	54
	Chapter 4 Strategic Environmental Assessment.....	55
	Chapter 5 Review of Relevant Plans, Policies and Programmes.....	55
	Chapter 6 Relevant Aspects of the Current State of the Environment (Baseline).....	55
	Chapter 7 Environmental Protection Objectives and SEA Framework.....	55
	Chapter 9 Assessment of Preferred Strategy.....	56
	Chapter 10 Mitigation and Monitoring.....	56
9	<b>CONCLUSIONS AND NEXT STEPS .....</b>	<b>58</b>

## LIST OF TABLES

Table 3-1	Strategic Environmental Objectives.....	6
Table 3-2	Summary of Assessment of Intervention.....	7
Table 4-1	How Environmental Considerations Have Been Taken into Account in the IS .....	11
Table 4-2	Proposed Mitigation Measures / Recommendations from SEA Environmental Report and NIS.....	13
Table 4-3	Key Issues Raised from Statutory Consultees .....	21
	Biodiversity, Flora and Fauna in Table 7-1: SEA Monitoring Programme has been updated.....	29
Table 6-1	SEA Assessment of Changes to Intervention Strategy arising from <i>Addendum to the Intervention Strategy</i> .....	48
Table 7-1	SEA Monitoring Programme (Following consultation feedback from DCHG in 2018, minor clarifications (highlighted in blue) were made to BFF) .....	50
Table 10-1	SEA Monitoring Programme .....	57

# 1 INTRODUCTION

The Department of Communications, Climate Action and Environment (referred to hereinafter as DCCAE) has prepared the National Broadband Plan - Intervention Strategy (referred to hereinafter as the 'Intervention Strategy'). The Intervention Strategy sets out a series of detailed Government policy objectives in respect of the proposed State intervention to ensure high speed broadband services are provided to all parts of Ireland. It outlines various aspects of the proposed intervention including the type of network envisaged, the minimum speeds being demanded, the length of the contract for services, and whether the network should be public or privately owned.

This SEA Statement has been prepared as part of the Strategic Environmental Assessment (SEA) of the NPF in accordance with the relevant national and EU legislation. This document provides information on the decision-making process. It records how environmental considerations have been integrated into the Intervention Strategy. Furthermore it summarises how the SEA environmental report, submissions and observations made to the competent authority from the public and designated statutory consultees; and any transboundary consultations have been taken into account during the preparation of the Intervention Strategy.

The Intervention Strategy and the associated environmental documents have been prepared by DCCAE. This SEA Statement has been prepared in accordance with Section 15 *Decision Making*, and Section 16 *Information on the Decision*, of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations (S.I. No. 435 of 2004) as amended and having regard to Article 8 (Decision Making) of EU Directive 2001/42/EC on Strategic Environmental Assessment and Circular Letter PL 9/2013, Department of Environment, Community and Local Government.

The structure of the SEA Statement is as follows:

1. Introduction;
2. Summary of key facts;
3. Summary of the SEA process;
4. Influence of the SEA process on the Intervention Strategy;
5. How consultation feedback has influenced the Intervention Strategy;
6. Preferred scenario and reasons for choosing;
7. Screening of changes to the Intervention Strategy;
8. Measures to monitor significant environmental effects of the implementation of the Intervention Strategy;
9. Addendum to Environmental Report; and
10. Conclusions and next steps.

## 2 SUMMARY OF KEY FACTS

<b>Title of Plan:</b>	National Broadband Plan - Intervention Strategy
<b>Purpose of Plan:</b>	To ensure a national high speed broadband network for Ireland
<b>Competent Authority:</b>	Department of Communications, Climate Action and Environment (DCCAE)
<b>Period Covered:</b>	The Intervention Strategy will cover a contract period of 25 years. It is expected that the network deployment will take place within the initial years of contract signing.
<b>Area Covered:</b>	The Intervention Strategy covers the State intervention area in the Republic of Ireland but also incorporates considerations in relation to potential all-Island and transboundary issues.
<b>Nature and Content of the Plan:</b>	The National Broadband Plan – Intervention Strategy (the Intervention Strategy) sets out a series of detailed Government policy objectives in respect of the proposed State led intervention to ensure high speed broadband services are provided to all parts of Ireland. It outlines various aspects of the proposed intervention including the type of network envisaged, the minimum speeds to be provided, the length of the contract for services, and whether the network should be public or privately owned
<b>Date Plan Came into Effect:</b>	December 2018
<b>Main Contact:</b>	Nuala Dormer National Broadband Plan Division, Department of Communications, Climate Action and Environment 29-31 Adelaide Road Dublin 2 D02 X285.

### 3 SUMMARY OF SEA PROCESS

The Intervention Strategy has been subject to a process of Strategic Environmental Assessment (SEA), as required under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations S.I. No. 435 of 2004, as amended by S.I. No. 200 of 2011. This has included the key steps described in the following sections.

#### 3.1 SCREENING

The SEA Directive requires that certain plans and programmes, prepared by statutory bodies, which are likely to have a significant impact on the environment, be subject to the SEA process. A screening of the Intervention Strategy for SEA was undertaken by DCCAE after which it was determined that the administrative provisions of Article 9(1) of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations (S.I. 435 of 2004) as amended had been met and that an SEA was required.

#### 3.2 SCOPING AND STATUTORY CONSULTATION

Scoping was carried out to establish the level of detail appropriate for the Environmental Report. A scoping report was prepared in April 2016 and this was used as the basis for statutory and non-statutory consultations. Statutory consultation was undertaken with the statutory consultees for SEA in Ireland as follows:

- Environmental Protection Agency (EPA);
- Department of Agriculture, Food and the Marine (DAFM);
- Department of Communications, Climate Action and Environment (DCCAE);
- Department of Arts, Heritage and the Gaeltacht Affairs (DAHG); and
- Department of Housing, Planning, Community and Local Government (DHCLG).

Also, transboundary consultation was undertaken with the Department of Agriculture, Environment and Rural Affairs (DAERA) Northern Ireland Environment Agency (NIEA).

Further to this statutory consultation, a workshop was held in Adelaide Road on 10<sup>th</sup> May 2016 and all statutory consultees were invited.

In addition, non-statutory consultation was undertaken with the wider public, closing on 20<sup>th</sup> May 2016. This was achieved through publication of the SEA Scoping Report on DCCAE's website. All submissions received were considered in preparation of the Environmental Report. All of the environmental topics listed in the SEA Directive were considered and all were scoped in for the purposes of the assessment. Responses were received from:

- Department of Arts, Heritage and the Gaeltacht (DAHG);
- Inland Fisheries Ireland;
- The Environmental Protection Agency;
- Northern Ireland Environment Agency (NIEA);
- Department of Agriculture, Food and the Marine (DAFM); and
- Ireland Offline.

### 3.3 ENVIRONMENTAL ASSESSMENT AND ENVIRONMENTAL REPORT

The preparation of an Environmental Report on the likely significant effects on the environment of implementation of the Intervention Strategy included consideration of:

- The contents and main objectives of the Intervention Strategy;
- The current state of the environment and evolution of the environment in the absence of the Intervention Strategy;
- Links between the Intervention Strategy and other relevant strategies, policies, plans, programmes and environmental protection objectives;
- Environmental characteristics of the area to be effected by the Intervention Strategy and key environmental problems;
- The likely significant effects on the environment of implementing the Intervention Strategy (both positive and negative);
- Measures envisaged for the prevention, reduction and as fully as possible offset any significant adverse effects;
- An outline of the reasons for selecting the alternatives chosen; and
- Measures envisaged concerning monitoring of any significant environmental effects of implementation of the Intervention Strategy.

#### 3.3.1 Summary of Assessment

The approach used for the assessment in the SEA was termed an “objectives led assessment”. In this case, each of the draft policies were tested against defined SEA Strategic Environmental Objectives (see **Table 3-1**) which covered all SEA environmental topics under the relevant SEA legislation, e.g. population, biodiversity, material assets. These environmental objectives were based on the current understanding of the key environmental issues having regard to the environmental protection objectives outlined in the main Environmental Report. A matrix format was used for the assessment, which permitted a systematic approach and comparison of alternatives.

**Table 3-1 Strategic Environmental Objectives**

Environmental Component	Strategic Environmental Objective
Biodiversity Flora and Fauna	Conserve, protect, maintain and, where appropriate, restore the terrestrial, aquatic, marine and soil biodiversity, and particularly European sites, other nature conservation sites, natural habitats and protected species, in the implementation of the Intervention Strategy.
	Integrate biodiversity considerations into the Intervention Strategy and the NBP contract.
Population and Human Health	Promote and encourage access and services for appropriate broadband for all communities.
	Protect Human Health and promote wellbeing.
Water	Prevent deterioration of the status of water bodies with regard to quality and quantity due to the implementation of the Intervention Strategy and contribute towards the improvement of water body status for rivers, lakes, transitional and coastal waters and ground waters to at least good status, as appropriate to the Water Framework Directive.



Environmental Component	Strategic Environmental Objective
Air Quality	Minimise emissions to air as a result of the implementation of the Intervention Strategy.
Climatic Factors	Minimise contribution to climate change by reducing emissions of greenhouse gasses associated with the implementation of the Intervention Strategy and adapt to the potential effects of climate change including flooding, through appropriate siting of infrastructure.
Material Assets	Reuse existing infrastructure as much as possible to minimise impacts on the environment associated with construction of new infrastructure.
Soils and Landuse	Avoid conflicts with, and contribute towards, the appropriate management of soil quality and quantity.
Cultural Heritage	Protect places, features, buildings and landscapes of cultural, archaeological or architectural heritage
Landscape	Avoid damage to designated landscapes and protected views resulting from the implementation of the Intervention Strategy.

The focus of the Intervention Strategy is to provide high speed broadband to all parts of Ireland in the identified State intervention area. At the broad level, implementation of the Intervention Strategy is expected to bring benefits, particularly in terms of populations, health, and material assets as it will provide new and improved opportunities for employment and e-commerce and new and improved connections between service providers and their customers. The provision of broadband infrastructure as envisaged in the Intervention Strategy is a key component in the realisation of other key Government policy in relation to coordinated spatial planning, balanced growth, consolidation, climate adaptation and mitigation.

The potential negative effects relate primarily to construction related impacts associated with roll out of the necessary infrastructure. This includes potential for loss of habitat, disturbance of species, including protected species, deterioration in water quality, loss and deterioration of soil quality among others. The assessment of the strategy objectives which are set out in the plan are summarised in **Table 3-2**.

The Intervention Strategy is a high level document setting out government policy objectives in respect of the proposed state intervention to ensure high speed broadband services are provided to all parts of Ireland the identified State intervention area. The strategy does not identify specific technologies or define specific types of intervention in specific areas, rather the Intervention Strategy, as published in December 2015, sets out objectives to be achieved:

**Table 3-2 Summary of Assessment of Intervention**

Assessment of Strategy Objectives	BFF	PHH	SG	W	AQ	CF	MA	CH	L
<b>Strategy Obj_1:</b> Deliver the Intervention as quickly as possible to ensure a national high speed broadband network for Ireland.	0/-	+	0/-	0/-	+/-	+/-	+	0/-	0/-
<b>Strategy Obj_2:</b> Every home and business to have access to high speed broadband with a choice of service providers	0/-	+	0/-	0/-	+/-	+/-	+	0/-	0/-
<b>Strategy Obj_3:</b> Ensure that the network can meet current and future demand	0/-	+/-	0/-	-0/-	+/-	+/-	+/-	0/-	0/-

Assessment of Strategy Objectives	BFF	PHH	SG	W	AQ	CF	MA	CH	L
<b>Strategy Obj_4:</b> Maximise reuse of existing infrastructure	+/-	+/-	+/-	+/-	+/-	+/-	+/-	+/-	+/-
<b>Strategy Obj_5:</b> Incentivise additional commercial investment	0/-	+/-	0/-	0/-	+/-	+/-	+/-	0/-	0/-
<b>Strategy Obj_6:</b> Stimulate growth and retention in jobs while enabling e-farming, e-health, trading online, e-education, tourism, savings for consumers etc.	0/-	+/-	0/-	0/-	+/-	+/-	+/-	0/-	0/-

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality - AQ; CF – Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

### 3.3.2 Statutory Consultation on Draft Intervention Strategy

The National Broadband Plan - Intervention Strategy was published for consultation on the 2<sup>nd</sup> of January 2018 alongside the SEA Environmental Report and the Appropriate Assessment (AA) Natura Impact Statement. All documents were available for inspection and for download on the DCCAE website [www.dccae.gov.ie]. Submissions and observations on the Intervention Strategy and associated environmental reports were invited prior to finalisation of the strategy. The deadline for receipt of submissions was 2<sup>nd</sup> February 2018, subsequently extended to 9<sup>th</sup> February 2018. A total of 6 responses were received from the following stakeholders and interested parties:

- Environmental Protection Agency;
- Inland Fisheries Ireland;
- Department of Culture, Heritage and the Gaeltacht;
- Northern Ireland Environment Agency on behalf of the Department of Agriculture, Environment and Rural Affairs (NI);
- Chartered Institute of Ecology and Environmental Management (CIEEM); and
- Enet.

In September 2018, DCCAE also received feedback from the following Departments, who were part of the NBP Environmental Steering Group:

- Department of Culture, Heritage and the Gaeltacht; and
- Department of Housing, Planning & Local Government.

Details of the key issues raised are presented in **Chapter 5** of this SEA Statement.

## 3.4 SEA STATEMENT

In accordance with Article 15 and 16 of S.I. 435 of 2004 as amended, the Competent Authority is required to prepare a statement summarising:

- a) *How environmental considerations have been integrated into the plan or programmes, or modification to a plan or programme;*
- b) *How (i) the environmental report, prepared pursuant to article 12, (ii) submissions and observations made to the planning authority in response to a notice under article 13 and (iii) any consultations under article 14 have been taken into account during the preparation of the plan or programme;*
- c) *The reasons for choosing the plan or programme, in light of other reasonable alternatives dealt with, and*
- d) *The measures decided upon to monitor, in accordance with article 17, the significant environmental effects of implementation of the plan or programme.*

The main purpose of this SEA Statement is to provide information on the decision-making process for the Intervention Strategy in order to illustrate how decisions were taken, making the process more transparent. In so doing, the SEA Statement records how the recommendations of both the Environmental Report and the Natura Impact Statement, as well as the views of the statutory consultees and other submissions received during consultation have influenced the preparation of the plan (Intervention Strategy). The SEA Statement also provides information on the arrangements put in place for monitoring and mitigation. The SEA Statement will be available to the public, along with the Natura Impact Statement and the Intervention Strategy including an Addendum to the Intervention Strategy.

### 3.5 APPROPRIATE ASSESSMENT

In addition to the SEA, there is a requirement under the EU Habitats Directive (92/43/EEC) (as transcribed into Irish law) to assess whether the Intervention Strategy, either individually or in combination with other plans or projects, is likely to have significant effect on a European Site, which includes Special Protection Areas (SPAs) and Special Areas of Conservation (SACs), in view of the site's conservation objectives. The requirement for an assessment derives from Article 6 of the directive, and in particular Article 6(3) which requires that:

*"Any plan or project not directly connected with or necessary to the conservation of a site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives."*

Only having ascertained that it will not adversely affect the integrity of the site can a competent authority agree to the plan or project.

*In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

In recognition of this, an Appropriate Assessment Screening was carried out, in parallel with the SEA process. From this it was determined that AA was required and a Natura Impact Statement was

prepared to inform an Appropriate Assessment. The NIS prepared for the Intervention Strategy has been prepared based on the scope and content presented in the Intervention Strategy including the *Addendum to the Intervention Strategy* (as discussed in Section 4.1) and it has been determined by the Minister for Communications, Climate Action & Environment that the Intervention Strategy will not, either individually or in combination with other plans and projects, adversely affect the integrity of any designated site within the Natura 2000 network. The NIS and the Minister's Appropriate Assessment determination are presented under separate cover.

### **3.6 ADOPTION OF THE NATIONAL BROADBAND PLAN – INTERVENTION STRATEGY**

The National Broadband Plan – Intervention Strategy was adopted by the Minister of Communications, Climate Action and Environment in October 2018.

## 4 INTEGRATION OF THE SEA PROCESS

### 4.1 HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN IMPLEMENTED

An SEA and AA have been undertaken on the National Broadband Plan – Intervention Strategy. From the outset, considerations of the environmental consequences of the alternatives considered have been communicated to DCCAE. A considerable effort has been made through the SEA Environmental Report and NIS preparation to integrate environmental considerations into the development of the Intervention Strategy. The SEA/ AA team was involved in:

- Development of alternatives;
- Discussions around policy objectives;
- Identification of likely significant effects from delivery of infrastructure on the ground;
- Recommendation of mitigation measures to address the potential impacts arising from the alternatives considered.

In parallel to the SEA and AA for the Intervention Strategy, DCCAE were also preparing draft contract documentation in relation to the procurement of implementation of the Intervention Strategy. In the knowledge that the Intervention Strategy is a very high level document, the SEA/AA team has also provided separate advice and guidance to the procurement process including suggested contract clauses and requirements to reflect environmental concerns raised through the broader consideration of environmental matters in the Intervention Strategy.

An Addendum to the Intervention Strategy (titled National Broadband Plan - Ireland's Broadband Intervention Strategy - Addendum (dated October 2018) hereinafter referred to as the Addendum to the Intervention Strategy) has been prepared to include mitigation measures from the SEA and AA processes.

**Table 4-1** shows how environmental considerations and the input of the SEA and AA have been taken into account in the Intervention Strategy through publication of the Addendum to the Intervention Strategy.

**Table 4-1 How Environmental Considerations Have Been Taken into Account in the IS**

Environmental Consideration	Integration into the Intervention Strategy
Early discussion on policy formation	The SEA/AA team engaged directly with the NBP team at an early stage to raise issues and create awareness on key environmental constraints relating to alternatives e.g. impacts from underground and overhead solutions.
Identification of environmental constraints	The SEA/AA team undertook an audit of baseline environmental conditions with reference to population, human health, climate, air landscape, cultural heritage, biodiversity, flora and fauna, material assets and water. This information was used to focus the SEA objectives, develop alternatives and assess positive and negative impacts associated with the implementation of the proposed Intervention Strategy.
Assessment of alternatives	The environmental baseline and objectives were used to identify key sensitivities and the assessment of alternatives. The SEA/AA team and the NBP team liaised on possible alternatives during



Environmental Consideration	Integration into the Intervention Strategy
	preparation of the SEA scoping document and subsequently as the Intervention Strategy evolved through meetings and workshops.
Recommendation of mitigation measures to address impacts on the wider environment	Mitigation measures were proposed to address negative environmental impacts identified during the assessment process.
Required environmental monitoring programme	A monitoring programme was prepared for the SEA Environmental Report and for discussion and agreement with DCCAE
Consultation	<p>Statutory consultation was undertaken with the environmental consultees for SEA in Ireland in relation to scoping of the Environmental Report. Issues raised were used to inform the overall scope and context of the environmental assessment. Public consultation was undertaken at the scoping stage and this stakeholder feedback also helped to shape the environmental assessment.</p> <p>Subsequently, the SEA Environmental Report, the Natura Impact Statement (from the Appropriate Assessment Process) and the draft Intervention Strategy were put on wider display.</p> <p>All changes to the Intervention Strategy have been screened by the SEA and AA teams to determine if they would result in significant effects (see <b>Section 6</b>).</p>

## 4.2 INTEGRATION OF ENVIRONMENTAL REPORT

In addition to the influences outlined in **Section 4.1** above, the SEA Environmental Report and the NIS specifically suggested mitigation measures to offset negative impacts identified during the assessment process for the draft Intervention Strategy. These included general measures such as additional text clarifying obligations in relation to protection of European Sites, additional clarity on the definitions/wording in policies, transparency and governance, and improved guidance for local authorities particularly for the implementation phase of the Intervention Strategy.

More detailed recommendations were also developed to inform the greater degree of granularity of the procurement documentation which is being prepared by DCCAE in parallel to this SEA / AA process to ensure the mitigation measures from the Intervention Strategy could clearly be traced down to lower levels of planning. These recommendations for procurement have been focussed on requirements for an Environmental Management System (to be developed by the appointed contractors) and appropriate channels of consultation with Local Authorities and other regulators prior to deployment.

**Table 4-2** presents the mitigation measures from the SEA Environmental Report and the NIS carried out on the draft Intervention Strategy and clarifies how they have influenced the Intervention Strategy.

Following consultation feedback from DCHG and DHPLG in 2018, minor clarifications (highlighted in blue) were made to the mitigation measures. See Section 8 of this report for the Addendum to the SEA Environmental Report which reflects these minor changes.

**Table 4-2 Proposed Mitigation Measures / Recommendations from SEA Environmental Report and NIS**

Proposed Mitigation / Recommendation	How has this been addressed?
<p><b>European Site Protection Policy</b></p> <p>To ensure that the safeguarding of European sites is fully acknowledged and integrated into the Intervention Strategy, it is recommended that the strategy include the following European Site Protection Policy:</p> <p><i>All plans, projects and works arising from the Intervention Strategy will be developed and carried out in such a way that the obligations under the Habitats and Birds Directives, and associated implementing legislation (including the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, and the Planning and Development Act 2000 and Regulations 2001 as amended) are fully met. Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, prior to authorisation will be met by the relevant public authority, or by the competent authority where planning permission is required</i></p> <p><i>All development is additionally subject to the provisions of Section 4(4) of the Planning and Development Act 2000, as amended, which removes exempted development if either appropriate assessment or environmental impact assessment is required.</i></p>	<p>An Addendum to the Intervention Strategy has been prepared and includes the following European Site Protection Policy:</p> <p><i>All plans, projects and works arising from the Intervention Strategy will be developed and carried out in such a way that the requirements of the Habitats and Birds Directives, as transposed in the European Communities (Birds and Natural Habitats) Regulations S.I. 477 of 2011, as amended), are met in relation to safeguarding European sites, their conservation objectives and their integrity, and so that deterioration of natural habitats and of the habitats of species, and significant disturbances of species are avoided. Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, will be met.</i></p>
<p><b>Statutory Obligations in Relation to European Sites</b></p> <p>The Contractor(s) will be required to comply with the relevant statutory obligations under the Habitats Directive (as transposed into national law) with particular reference to the issue of exempted development. It is noted that exempted development is dealt with under Schedule 2, Part 4 of the Planning and Development Regulations 2001, as amended. This also includes restrictions on exemptions which, under Article 9 comprise development, which would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.</p> <p><i>All development is additionally subject to the provisions of Section 4(4) of the Planning and Development Act 2000, as amended, which removes exempted development if either appropriate assessment or environmental impact assessment is required.</i></p>	<p>An Addendum to the Intervention Strategy has been prepared and includes the following:</p> <p><i>NBPco (the successful bidder) will be required to comply with the relevant statutory obligations under the Habitats Directive (as transposed in the Birds and Natural Habitats Regulations, 2011 (S.I. 477 of 2011) as amended) with particular reference to the issue of exempted development. It is noted that exempted development is dealt with under Schedule 2, Part 4 of the Planning and Development Regulations 2001, as amended. This also includes restrictions on exemptions which, under Article 9, comprise development, which would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.</i></p> <p><i>Other mitigation measures are detailed in the Environmental Report. These relate to deployment level measures to be controlled at Local Authority and NBPco level.</i></p>

Proposed Mitigation / Recommendation	How has this been addressed?
<p><b>Appropriate Skills</b></p> <p>In line with current best practice, it is recommended that the Contractor(s) appoint / include suitably qualified staff including <a href="#">ecologists</a>, environmental assessment <a href="#">specialists</a> and Ecological <a href="#">Clerks of Work</a> as part of the roll out team, to advise and guide the Contractor(s) on issues relating to environmental protection <a href="#">compliance with</a> mitigation, <a href="#">assessments</a>, <a href="#">surveys and licences required with particular reference to European sites, nature conservation and biodiversity</a>.</p>	<p>An <i>Addendum to the Intervention Strategy</i> has been prepared and includes the following:</p> <p><i>The Department recommends that the Contractor appoints/includes suitably qualified staff including an ecologist, an environment assessment specialist and an Ecological Clerk of Works as part of the roll out team, to advise and guide the Contractor on issues relating to environmental protection and mitigation.</i></p>
<p><b>Advice and Support of Local Authorities</b></p> <p>While DCCAE is the competent authority for the Intervention Strategy, it is acknowledged that the delivery of the infrastructure on the ground will be more closely overseen by the relevant local / planning authority in each deployment area.</p> <p>Furthermore it is noted that depending on the solution proposed by the successful bidder post procurement, many of the activities may be classed as exempted development <a href="#">or there may be restrictions on exemptions in various scenarios</a>.</p> <p>The scoping process highlighted the importance of streamlining to ensure a consistent approach to applications and roll out for broadband infrastructure development in each Local Authority area particularly in relation to assessment under the Habitats Directive (under the Birds and Natural Habitats Regulations 2011 as amended and the Planning and Development Act 2000 as amended).</p> <p>A number of related activities are already underway including the establishment by the DRCD of Regional Action Groups to work with local authorities, Local Enterprise Offices, LEADER Groups and other relevant agencies to help accelerate the broadband network build in rural Ireland. DCCAE will assist by ensuring requirements are included in the NBP Contract that encourages consultation and knowledge sharing in relation to environmental obligations between the successful bidder and stakeholders at an early opportunity post contract award, to assist in streamlining the delivery.</p> <p>Examples of where streamlining could be considered across local authorities include but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Construction Environmental Management Plan for each Deployment Area;</li> <li>▪ Traffic Management Plan for each Deployment Area;</li> <li>▪ Ecological Management Plan for each Deployment Area;</li> </ul>	<p>An <i>Addendum to the Intervention Strategy</i> has been prepared and includes the following:</p> <p><i>While the Department is the competent authority for the Intervention Strategy, it is acknowledged that the delivery of the infrastructure on the ground will be more closely overseen by the relevant local / planning authority in each deployment area.</i></p> <p><i>Furthermore it is noted that depending on the solution proposed by the successful bidder post procurement, many of the activities may be classed as exempted development.</i></p> <p><i>The scoping process highlighted the importance of streamlining to ensure a consistent approach to applications and roll out for broadband infrastructure development in each Local Authority area particularly in relation to assessment under the Habitats Directive.</i></p> <p><i>A number of related activities are already underway including the establishment by the Department of Rural and Community Development (DRCD) of Regional Action Groups to work with local authorities, Local Enterprise Offices, LEADER Groups and other relevant agencies to help accelerate the broadband network build in rural Ireland. It is intended that the contract with NBPco will require adherence to Best Industry Practice in its engagement with the relevant competent authority responsible for consents in relation to construction activities and works. It is recommended that NBPco and relevant competent authorities also engage in consultation and knowledge sharing in relation to environmental obligations at an early opportunity post contract award, to assist in streamlining the delivery.</i></p> <p><i>Examples of where streamlining could be considered</i></p>

Proposed Mitigation / Recommendation	How has this been addressed?
<ul style="list-style-type: none"> <li>▪ Surface Water Management Plan for each Deployment Area;</li> <li>▪ Waste Management Plan for each Deployment Area; and</li> <li>▪ Protocol for prevention of the spread of invasive alien species.</li> </ul> <p>It should also be noted that in addition to planning, other consent applications to competent authorities other than the local authorities may also be needed e.g. TII for road opening licence of national primary and secondary roads or the Department of Agriculture, Food and the Marine for foreshore licence applications.</p>	<p><i>include but are not limited to:</i></p> <ul style="list-style-type: none"> <li>• <i>Construction Environmental Management Plan for each Deployment Area;</i></li> <li>• <i>Traffic Management Plan for each Deployment Area;</i></li> <li>• <i>Ecological Management Plan for each Deployment Area;</i></li> <li>• <i>Surface Water Management Plan for each Deployment Area;</i></li> <li>• <i>Waste Management Plan for each Deployment Area; and</i></li> <li>• <i>Protocol for prevention of the spread of invasive alien species.</i></li> </ul> <p><i>It should also be noted that in addition to planning, other consent applications to competent authorities other than the local authorities may also be needed e.g. TII for road opening licence of national primary and secondary roads or the Department of Housing, Planning and Local Government for foreshore licence applications. Best Industry Practice should apply in these situations also.</i></p>
<p><b>Governance</b></p> <p>As acknowledged earlier, DCCAE is the competent authority for the Intervention Strategy, however the roll out of broadband in the intervention area will be delivered by a third party (NBPCo to be appointed following a procurement process) and will be overseen by local authorities in accordance with their functions as planning authorities, road authorities etc.</p> <p>In order to ensure that there are robust and transparent mechanisms to oversee the implementation of the strategy and its associated objectives, key elements, and any related actions, it is therefore recommended that DCCAE co-operate with key stakeholders, including but not limited to the DRCD and the local authorities, to develop an approach to governance and implementation of the strategy which will allow for effective protection of the environment.</p> <p><a href="#">The approach to governance and implementation should include monitoring and the taking of effective and timely action where problems arise; the set up of a high level implementation group that will monitor the implementation of the environmental mitigation measures in the Strategy in consultation with relevant stakeholders; and the results of all monitoring</a></p>	<p><i>An Addendum to the Intervention Strategy has been prepared and includes the following:</i></p> <p><b>Governance</b></p> <p><i>As acknowledged earlier, the Department is the competent authority for the SEA and AA of the Intervention Strategy, however the roll out of broadband in the intervention area will be delivered by a third party (NBPCo) and will be overseen by local authorities in accordance with their functions as planning authorities, road authorities etc.</i></p> <p><i>In order to ensure that there are robust and transparent mechanisms to oversee the deployment of the high speed broadband network under the Intervention Strategy, it is recommended that the Department will continue to co-operate with key stakeholders, including but not limited to the DRCD and the local authorities, to support, as required an approach to governance and implementation of the Intervention Strategy which will allow for environmental best practice with regard to deployment under the Intervention Strategy.</i></p>

Proposed Mitigation / Recommendation	How has this been addressed?
including SEA monitoring be made publically available.	
<p><b>Best Practice</b></p> <p>The Contractor(s) will be required to comply with the relevant statutory obligations in relation to safeguarding and avoiding any damage or disturbance to European sites, other nature conservation sites, and protected species environmental protection and should have regard to current and best practice guidelines. Such guidelines include but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ European Commission “Assessment of plans and projects significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (2001)”;</li> <li>▪ IFI “Guidelines on protection of fisheries during construction works in and adjacent to waters (2016)”;</li> <li>▪ Relevant CIRIA Publications including: <ul style="list-style-type: none"> <li>○ Control of Water Pollution from Linear Construction Projects (CIRIA Report No C648, 2006); and</li> <li>○ Control of Water Pollution from Linear Construction Project – Site Guide (CIRIA Report No C649, 2006).</li> </ul> </li> <li>▪ Building Research Establishment “Control of Dust from Construction and Demolition Activities”;</li> <li>▪ Transport Infrastructure Ireland or “TII” (formerly NRA) Guidelines on environment including: <ul style="list-style-type: none"> <li>○ Guidelines for the Crossing of Watercourses during the Construction of National Road Schemes;</li> <li>○ The Management of Noxious Weeds and Non Native Invasive Plant Species on National Road Schemes; and</li> <li>○ Guidelines for the Protection and Preservation of Tress, Hedgerows and Scrub prior to, during and post Construction of National Road Schemes.</li> </ul> </li> </ul>	<p><i>An Addendum to the Intervention Strategy has been prepared and includes the following:</i></p> <p><b>Best Practice</b></p> <p><i>The Contractor will be required to comply with the relevant statutory obligations relating to environmental protection and should have regard to current best practice guidelines and any future guidance. Such current guidelines include but are not limited to:</i></p> <ul style="list-style-type: none"> <li>• <i>European Commission “Assessment of plans and projects significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (2001)”;</i></li> <li>• <i>IFI “Guidelines on protection of fisheries during construction works in and adjacent to waters (2016)”;</i></li> <li>• <i>Relevant CIRIA Publications including:</i> <ul style="list-style-type: none"> <li>○ <i>Control of Water Pollution from Linear Construction Projects (CIRIA Report No C648, 2006); and</i></li> <li>○ <i>Control of Water Pollution from Linear Construction Project – Site Guide (CIRIA Report No C649, 2006).</i></li> </ul> </li> <li>• <i>Building Research Establishment “Control of Dust from Construction and Demolition Activities”;</i></li> <li>• <i>Transport Infrastructure Ireland or “TII” (formerly NRA) Guidelines on environment including:</i> <ul style="list-style-type: none"> <li>○ <i>Guidelines for the Crossing of Watercourses during the Construction of National Road Schemes;</i></li> <li>○ <i>The Management of Noxious Weeds and Non Native Invasive Plant Species on National Road Schemes; and</i></li> <li>○ <i>Guidelines for the Protection and Preservation of Tress, Hedgerows and Scrub prior to, during and post</i></li> </ul> </li> </ul>



Proposed Mitigation / Recommendation	How has this been addressed?
<p><b>General Guidance and Recommendations</b></p> <p>The proper siting of new infrastructure can mitigate the impact on communities, the environment and important habitats. It is acknowledged that the delivery of the necessary infrastructure for the broadband intervention will be achieved through a third party Contractor.</p> <p>The Contractor will be subject to all relevant planning and environmental legislation which is enforceable by the relevant planning authority and / or regulator.</p> <p>As such, of the following guidance and recommendations are provided to assist the appointed Contractor and the relevant authorities during their decision making. While not mandatory, the guidance may assist in the identification of issues that may or may not be relevant to a given deployment area.</p> <ul style="list-style-type: none"> <li>▪ The appointed Contractor(s) should make themselves aware of environmental constraints in each deployment area prior to commencement of works to ensure protection of the environmental / ecological resource.</li> <li>▪ All development proposals should be subject to screening for Appropriate Assessment and if considered necessary, the provision of a Natura Impact Statement, which should include, but not be limited to assessing construction related impacts (e.g. habitat loss, disturbance from noise/humans, impacts on water quality and water movement), operational related impact (e.g. such as potential habitat degradation associated with access for maintenance of the network, collision risk and barriers to movement both in-situ and ex-situ) and in-combination impacts (in particular, for above ground wireline or masts, in-combination impacts with existing overhead lines and masts).</li> <li>▪ Reuse of existing infrastructure should be considered in the first instance for any network development or expansions to limit the potential impacts on the environment including European Sites.</li> <li>▪ Avoid siting new broadband network infrastructure within, immediately adjacent to or adjoining any Natura 2000 Site in order to limit the potential habitat/species loss impacts and disturbance to habitats and species therein during construction and/or operation.</li> <li>▪ In the case of connecting off-shore islands (which may be located within or immediately</li> </ul>	<p><i>Construction of National Road Schemes.</i></p> <p><i>An Addendum to the Intervention Strategy has been prepared and includes the following:</i></p> <p><b>General Guidelines and Recommendations</b></p> <p><i>The proper siting of new infrastructure can mitigate the impact on communities, the environment and important habitats. It is acknowledged that the delivery of the necessary infrastructure for the broadband intervention will be achieved through a third party (NBPCo).</i></p> <p><i>NBPCo will be subject to all relevant planning and environmental legislation which is enforceable by the relevant planning authority and / or regulator.</i></p> <p><i>As such, the following guidance and recommendations are provided to assist NBPCo once appointed and the relevant authorities during their decision making. While not mandatory, the guidance may assist in the identification of issues that may or may not be relevant to a given deployment area.</i></p> <ul style="list-style-type: none"> <li>• <i>NBPCo should make itself aware of environmental constraints in each deployment area prior to commencement of works to ensure protection of the environmental / ecological resource.</i></li> <li>• <i>All development proposals should be subject to screening for Appropriate Assessment and if considered necessary, the provision of a Natura Impact Statement, which should include, but not be limited to assessing construction related impacts (e.g. habitat loss, disturbance from noise/humans, impacts on water quality and water movement), operational related impact (e.g. such as potential habitat degradation associated with access for maintenance of the network, collision risk and barriers to movement both in-situ and ex-situ) and in-combination impacts (in particular, for above ground wireline or masts, in-combination impacts with existing overhead lines and masts).</i></li> <li>• <i>Reuse of existing infrastructure should be considered in the first instance for any</i></li> </ul>

Proposed Mitigation / Recommendation	How has this been addressed?
<p>adjacent to an SAC/SPA) to the broadband network, infrastructure should as far as possible be located on existing infrastructure or on existing built ground/structures where possible. This is to reduce the potential impacts and disturbance to habitats and species during construction and/or operation.</p> <ul style="list-style-type: none"> <li>▪ Avoid where possible siting new broadband network infrastructure in proposed Natural Heritage Areas (pNHAs), Natural Heritage Areas (NHAs), Statutory Nature Reserves, Refuges for Fauna and Annex I Habitats occurring outside of European Sites, but which provide a supporting role to European Sites.</li> <li>▪ In order to protect habitats which, by virtue of their linear and continuous structure (e.g. hedgerows, rivers and their bank) or their contribution as stepping stones (e.g. ponds or small woods), which are essential for the migration, dispersal and genetic exchange of wild species, these features should be protected as far as possible from loss or disruption through good site layout, design and management. Any hedgerow trimming, tree clearance or river crossings required to install and/or maintain the new network will be kept to the absolute minimum required.</li> <li>▪ Consider surveying for the presence of invasive species (as listed in the Third Schedule of the Birds and Natural Habitats Regulations) prior to infrastructural development, and put in place protocols to prevent the spread of invasive species.</li> <li>▪ Avoid where possible siting infrastructure or related infrastructure in areas protected for landscape and visual amenity, geology, heritage and or cultural value.</li> <li>▪ To prevent the spread of Invasive Alien Species (IAS), consider undertaking an IAS survey of any prospective sites. If found, preventative measures include ensuring that good site hygiene practices are employed for the movement of materials into, out of and around the site and ensuring that imported soil is free of seeds and rhizomes of key invasive plant species;</li> <li>▪ Ensure that no development, including clearance and storage of materials, takes place within a minimum distance of 15m measured from each bank of any river, stream or watercourse. The extent of these buffer zones should be determined in consultation with a qualified ecologist and following a Flood Risk Assessment.</li> </ul>	<p><i>network development or expansions to limit the potential impacts on the environment including European Sites.</i></p> <ul style="list-style-type: none"> <li>• <i>Avoid siting new broadband network infrastructure within, immediately adjacent to or adjoining any Natura 2000 Site in order to limit the potential habitat/species loss impacts and disturbance to habitats and species therein during construction and/or operation.</i></li> <li>• <i>In the case of connecting off-shore islands (which may be located within or immediately adjacent to an SAC/SPA) to the broadband network, infrastructure should as far as possible be located on existing infrastructure or on existing built ground/structures where possible. This is to reduce the potential impacts and disturbance to habitats and species during construction and/or operation.</i></li> <li>• <i>Avoid where possible siting new broadband network infrastructure in proposed Natural Heritage Areas (pNHAs), Natural Heritage Areas (NHAs), Statutory Nature Reserves, Refuges for Fauna and Annex I Habitats occurring outside of European Sites, but which provide a supporting role to European Sites.</i></li> <li>• <i>In order to protect habitats which, by virtue of their linear and continuous structure (e.g. hedgerows, rivers and their bank) or their contribution as stepping stones (e.g. ponds or small woods), which are essential for the migration, dispersal and genetic exchange of wild species, these features should be protected as far as possible from loss or disruption through good site layout, design and management. Any hedgerow trimming, tree clearance or river crossings required to install and/or maintain the new network will be kept to the absolute minimum required.</i></li> <li>• <i>Consider surveying for the presence of invasive species (as listed in the Third Schedule of the Birds and Natural Habitats</i></li> </ul>

Proposed Mitigation / Recommendation	How has this been addressed?
<p>Any hard landscaping proposals should be located outside of these buffer zones;</p> <ul style="list-style-type: none"> <li>▪ Consultation is recommended to take place with Inland Fisheries Ireland and National Parks and Wildlife services;</li> <li>▪ Ensure that the infrastructure siting does not compromise the requirements of the Water Framework Directive and the attainment of the relevant water quality objectives identified in the current River Basin Management Plans and any updates;</li> <li>▪ Avoid development of infrastructure in flood risk areas. Reference should be made to the planning System and Flood Risk Management for Planning Authorities (DECLG/OPW 2009) and the National Flood Hazard Mapping (OPW) while referring to the relevant Flood Risk Management Plan (FRMP);</li> <li>▪ The geological and hydrogeological conditions in the area should be considered. Avoid where possible siting infrastructure in geologically unsuitable areas including karst where practicable, and areas susceptible to subsidence or landslides;</li> <li>▪ Due consideration should be given to the primary water source of the area and the degree of surface water/groundwater interaction including tidal influences;</li> <li>▪ Impacts on transport should be considered including road access, network, safety and traffic patterns to and from the proposed facility in accordance with road design guidelines and/or relevant LA guidelines in relation to roads;</li> <li>▪ Planning authorities should consider the need for CEMP's or similar for each deployment area as a way to plan and monitor the roll out of the infrastructure on the ground.</li> </ul>	<p><i>Regulations) prior to infrastructural development, and put in place protocols to prevent the spread of invasive species.</i></p> <ul style="list-style-type: none"> <li>• <i>Avoid where possible siting infrastructure or related infrastructure in areas protected for landscape and visual amenity, geology, heritage and or cultural value.</i></li> <li>• <i>To prevent the spread of Invasive Alien Species (IAS), consider undertaking an IAS survey of any prospective sites. If found, preventative measures include ensuring that good site hygiene practices are employed for the movement of materials into, out of and around the site and ensuring that imported soil is free of seeds and rhizomes of key invasive plant species;</i></li> <li>• <i>Ensure that no development, including clearance and storage of materials, takes place within a minimum distance of 15m measured from each bank of any river, stream or watercourse. The extent of these buffer zones should be determined in consultation with a qualified ecologist and following a Flood Risk Assessment. Any hard landscaping proposals should be located outside of these buffer zones;</i></li> <li>• <i>Consultation is recommended to take place with Inland Fisheries Ireland and National Parks and Wildlife services;</i></li> <li>• <i>Ensure that the infrastructure siting does not compromise the requirements of the Water Framework Directive and the attainment of the relevant water quality objectives identified in the current River Basin Management Plans and any updates;</i></li> <li>• <i>Avoid development of infrastructure in flood risk areas. Reference should be made to the Planning System and Flood Risk Management for Planning Authorities (DECLG/OPW 2009) and the National Flood Hazard Mapping (OPW) while referring to the relevant Flood Risk Management Plan</i></li> </ul>

Proposed Mitigation / Recommendation	How has this been addressed?
	<p><i>(FRMP);</i></p> <ul style="list-style-type: none"> <li>• <i>The geological and hydrogeological conditions in the area should be considered. Avoid where possible siting infrastructure in geologically unsuitable areas including karst where practicable, and areas susceptible to subsidence or landslides;</i></li> <li>• <i>Due consideration should be given to the primary water source of the area and the degree of surface water/groundwater interaction including tidal influences;</i></li> <li>• <i>Impacts on transport should be considered including road access, network, safety and traffic patterns to and from the proposed works in accordance with road design guidelines and/or relevant LA guidelines in relation to roads;</i></li> <li>• <i>Planning authorities should consider the need for CEMP's or similar for each deployment area as a way to plan and monitor the roll out of the infrastructure on the ground.</i></li> </ul>

## 4.3 HOW CONSULTATION FEEDBACK HAS INFLUENCED THE INTERVENTION STRATEGY

As outlined in Section 3.3.2, the *draft* Intervention Strategy was published for consultation on the 2<sup>nd</sup> of January 2018 alongside the SEA Environmental Report and the Natura Impact Statement and a total of 5 responses were received from stakeholders and interested parties. The key issues raised in the submissions received from stakeholders are summarised in this section.

### 4.3.1 Key Issues Raised in Submissions Statutory Consultees

**Table 4-3** outlines the issues raised by the statutory consultees and outlines how these issues have influenced the Intervention Strategy and the accompanying environmental assessments, as appropriate.

**Table 4-3 Key Issues Raised from Statutory Consultees**

Issued Raised	How has this been addressed?
<b>EPA</b>	
Need for the specific national regulations in relation to both the Habitats and Birds Directive to be specifically mentioned in the final Strategy.	<p>The <i>Addendum to the Intervention Strategy</i> now includes the following objective:</p> <p><i>“Ensure that all development and implementation of plans, projects and works arising from this Intervention Strategy are in compliance with the requirements of the Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC), the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, best practice and the mitigation measures developed as part of the Strategic Environmental Assessment and Appropriate Assessment processes carried out for the Intervention Strategy.”</i></p> <p>And the following mitigation:</p> <p><i>“European Site Protection Policy All plans, projects and works arising from the Intervention Strategy will be developed and carried out in such a way that the requirements of the Habitats Directive (92/43/EC), the Birds Directive (2009/147/EC) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, are met in relation to safeguarding European sites, their conservation objectives and their integrity, and so that deterioration of natural habitats and of the habitats of species, and significant</i></p>



Issued Raised	How has this been addressed?
	<p><i>disturbances of species are avoided. Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, will be met.</i></p>
<p>Reference should also be made to obligations with respect to Water Framework Directive, related regulations and the RBMP.</p>	<p>In the <i>Addendum to the Intervention Strategy</i> under the heading 'General Guidelines and Recommendations' it states:</p> <p><i>"Ensure that the infrastructure siting does not compromise the requirements of the Water Framework Directive and the attainment of the relevant water quality objectives identified in the current River Basin Management Plans and any updates."</i></p> <p>In addition, DCCAE is preparing a contract that will be agreed with the successful bidder, to include a schedule on Environmental Obligations, which refers to obligations under the Water Framework Directive.</p>
<p>Consideration should be given to ensuring each broadband deployment area will have a spatially specific Integrated Construction Environmental Management Plan (ICEMP). This should include measures, actions, monitoring, reporting and the criteria to be applied to determine the need for remedial action during construction and where relevant maintenance related activities. Provisions should also be included for oversight and reporting requirements related to the proposed ICEMP. The ICEMP should reflect the deployment area specific aspects of the Best Practice Guidelines as described under Best Practice.</p>	<p>In the <i>Addendum to the Intervention Strategy</i> under the heading 'General Guidelines and Recommendations' it states:</p> <p><i>"Planning authorities should consider the need for CEMP's or similar for each deployment area as a way to plan and monitor the roll out of the infrastructure on the ground."</i></p>
<p>The guidance prepared under this section should be expanded into an ICEMP Guidance Manual in consultation with relevant statutory environmental authorities/ agencies. This Manual should be incorporated in the final Strategy.</p>	<p>In the <i>Addendum to the Intervention Strategy</i> under the heading 'Environmental Monitoring' it states the following regarding guidelines:</p> <p><i>"Other Mitigation Measures take the form of recommendations to relevant authorities and NBPco. These relate to Appropriate Skills, Advice and Support of Local Authorities; Governance; Best Practice; and General Guidelines and Recommendations which NBPco, and the relevant authorities as the Competent Authorities in the consenting process, should consider at the deployment stages."</i></p>
<p>Recommend the preparation and publication of a Strategy Implementation Plan alongside the Strategy to set a clear pathway for the implementation and tracking of the delivery and achievement of the vision and specific objectives in the final Strategy linking to the SEA-related monitoring obligations required under the</p>	<p>A Strategy Implementation Plan has not been prepared alongside the Intervention Strategy, however, DCCAE is preparing a contract for agreement with a successful bidder and it is proposed that this will set a clear pathway for the implementation and tracking of the delivery of the</p>

Issued Raised	How has this been addressed?
SEA legislation.	<p>infrastructure.</p> <p>The <i>Addendum to the Intervention Strategy</i> includes a section on 'Environmental Monitoring'. It states:</p> <p><i>"The Department recognises the need for clear tracking of the delivery and achievement of the environmental objective of the Intervention Strategy, and publication of relevant information at the implementation stages of the Strategy. Measures to monitor significant environmental effects of the implementation of the adopted Intervention Strategy are outlined in the SEA Statement, published on the Department's website."</i></p>
Recommend the establishment of a High Level Implementation Group, across the relevant government departments, Regional Assemblies and local; authorities and key relevant stakeholders.	<p>A High Level Implementation Group is not proposed. However, the <i>Addendum to the Intervention Strategy</i> states the following on Governance:</p> <p><i>"As acknowledged earlier, the Department is the competent authority for the SEA and AA of the Intervention Strategy, however the roll out of broadband in the intervention area will be delivered by a third party (NBPCo) and will be overseen by local authorities in accordance with their functions as planning authorities, road authorities etc."</i></p> <p><i>In order to ensure that there are robust and transparent mechanisms to oversee the deployment of the broadband network under the strategy, it is recommended that the Department co-operate with key stakeholders, including but not limited to the DRCD and the local authorities, to support as required an approach to governance and implementation of the strategy which will allow for environmental best practice with regard to deployment under the Intervention Strategy."</i></p>
<p>Not clear how the SEA process has informed the preparation of the strategy in the context of the updated 2015 Strategy accompanying the SEA Environmental Report.</p> <p>Consideration should be given to the need for further consultation on the draft final Strategy prior to finalisation.</p> <p>The final Strategy should include a section which clearly indicates how the SEA and the Appropriate Assessment have informed its preparation."</p>	<p>An <i>Addendum to the Intervention Strategy</i> has been prepared by DCCAE. it states:</p> <p><i>"This document forms an addendum to the Intervention Strategy and takes into account the Environmental Report"</i>.</p> <p>The <i>Addendum to the Intervention Strategy</i> includes the mitigation measures set out in the Environmental Report. It also includes a section on Environmental Monitoring.</p>

Issued Raised	How has this been addressed?
<p>The proposed monitoring of implementation of the NBPIS should be reflected in its entirety in the final Strategy.</p> <p>Provisions for reporting on the proposed SEA Environmental Monitoring in Table 10-1 of the SEA ER should also be included in Strategy. Monitoring Reports should be made available on line along with a description of any remedial measures required during the implementation of the Strategy.</p>	<p>The proposed environmental monitoring of the implementation of the Intervention Strategy is not included in the Intervention Strategy. The <i>Addendum to the Intervention Strategy</i> states:</p> <p><i>“The Department recognises the need for monitoring of potential significant environmental impacts arising from the Intervention Strategy and publication of relevant information at the implementation states of the Intervention Strategy. Measures to monitor significant environmental effects of the implementation of the adopted Intervention Strategy are outlined in the SEA Statement, published on the Department’s website.</i></p> <p><i>As indicated above, it is intended the contract with NBPco and any related consents will require compliance with all environmental obligations under law. In this way the contract will reflect the statutory requirements outlined in the mitigation measures relating to European Site Protection Policy and Statutory Obligations in relation to European Sites, specifically in relation to relevant statutory obligations under the Habitats and Birds Directives as transposed in the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011), as amended. It is also intended that NBPco will be required under the contract to provide details of all consents received from relevant authorities in relation to construction activities and works. The Contract will also reflect the mitigation measures in respect of Best Practice, requiring NBPco to have regard to Guidance relevant to the environment in connection with the deployment, maintenance and operation of the State led intervention network.”</i></p>
<p>Where modifications to and /or reviews of the Strategy are proposed, these should be screened for potential for likely significant effects in accordance with the criteria set out in Schedule 1 of the SEA Regulations (S.I. No. 435 of 2004) and should be subject to the same method of assessment applied in the SEA process to date.</p>	<p>Section 6 of this SEA Statement assesses the changes made to the Intervention Strategy through the publication of the <i>Addendum to the Intervention Strategy 2015</i>.</p>
<p><b>Department of Cultural, Heritage and the Gaeltacht (February 2018)</b></p>	
<p><b>General duties of a public authority</b> In addition to obligations as the ‘public authority’ with</p>	<p>The <i>Addendum to the Intervention Strategy</i></p>

Issued Raised	How has this been addressed?
<p>respect to the appropriate assessment process, DCHG drew attention to Regulation 27 of the European Communities (Birds and Natural Habitats) Regulations, 2011, as this places particular duties on all public authorities in relation to European sites. Among other things, this includes a duty to exercise all functions, including but not only consent functions, in compliance with, and so as to secure compliance with the requirements of the Habitats and Birds Directives and the 2011 Regulations.</p> <p>Public authorities are obliged, when exercising their functions, to take appropriate steps to avoid in European sites the deterioration of natural habitats and the habitats of species, as well as disturbance of species for which a site has been designated insofar as this disturbance could be significant in relation to the objectives of the Habitats Directive. These obligations should be incorporated into and reflected in the final strategy or plan, where relevant.</p>	<p>includes the following objective:</p> <p><i>“Ensure that all development and implementation of plans, projects and works arising from this Intervention Strategy are in compliance with the requirements of the Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC), the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, best practice and the mitigation measures developed as part of the Strategic Environmental Assessment and Appropriate Assessment processes carried out for the Intervention Strategy.”</i></p> <p>And the following mitigation:</p> <p><i>“European Site Protection Policy</i></p> <p><i>All plans, projects and works arising from the Intervention Strategy will be developed and carried out in such a way that the requirements of the Habitats Directive (92/43/EC), the Birds Directive (2009/147/EC) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, are met in relation to safeguarding European sites, their conservation objectives and their integrity, and so that deterioration of natural habitats and of the habitats of species, and significant disturbances of species are avoided. Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, will be met.”</i></p>
<p>DCHG recommended that in addition to measures already specified, systems to monitor and ensure the compliance of the ‘downstream’ projects with these obligations, as well as any internal mechanisms that may be needed to ensure compliance should be developed.</p>	<p>The Addendum to the Intervention Strategy states the following on Governance:</p> <p><i>“As acknowledged earlier, the Department is the competent authority for the SEA and AA of the Intervention Strategy, however the roll out of broadband in the intervention area will be delivered by a third party (NBPCo) and will be overseen by local authorities in accordance with their functions as planning authorities, road authorities etc.</i></p> <p><i>In order to ensure that there are robust and transparent mechanisms to oversee the deployment of the broadband network under the strategy, it is recommended that the Department co-operate with key stakeholders,</i></p>

Issued Raised	How has this been addressed?
	<p><i>including but not limited to the DRCD and the local authorities, to support as required an approach to governance and implementation of the strategy which will allow for environmental best practice with regard to deployment under the Intervention Strategy."</i></p>
<p><b>Matters relating to the Strategy</b></p> <p>DCHG noted that DCCAE are to make changes to the published National Broadband Plan – Intervention Strategy (December 2015) to incorporate and reflect the mitigation measures arising from the SEA process (Section 10), and which are specified in the NIS (Section 6).</p> <p>These are the measures that are required to mitigate the likely significant effects of the strategy on the environment in general, and on European sites and their conservation objectives in particular. While these measures, and the strategy, will assist in guiding the roll out of high speed broadband, it is noted that DCCAE has acknowledged that additional mitigation measures will be required and will be implemented as part of the contracting process. It should also be noted that 'project' level environmental assessments, mitigation measures, and applications for consent (e.g. planning permission, road opening licences, foreshore consents, etc.) are likely to be required for aspects of the roll out. See also in relation to the NIS mitigation measures.</p> <p>In general, in terms of the types of consents required, consideration should be given to the need for contractors appointed by DCCAE to apply for ministerial consent from DCHG to carry out activities in European sites, NHAs and other nature conservation sites where it is confirmed that planning permission or other consents are not required. Ministerial consent is not normally required for works/activities carried out on behalf of a state authority.</p>	<p>The Addendum to the Intervention Strategy states the following on environmental obligations:</p> <p><i>"As indicated above, it is intended the contract with NBPco and any related consents will require compliance with all environmental obligations under Law. In this way the contract will reflect the statutory requirements outlined in the mitigation measures relating to European Site Protection Policy and Statutory Obligations in relation to European Sites, specifically in relation to relevant statutory obligations under the Habitats and Birds Directives as transposed in the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011), as amended. It is also intended that NBPco will be required under the contract to provide details of all consents received from relevant authorities in relation to construction activities and works"</i></p>
<p>The Intervention Strategy does not specify the technology that will be used or the locations, or 'deployment areas' where infrastructure will be located, meaning that various scenarios and uncertainties arise that need to be captured by mitigation measures and systems that will ensure the effective planning, design, assessment, management, monitoring and compliance of 'downstream' projects, or deployment area plans. It may be advised to specify that 'constraints', 'feasibility' or 'options' type studies need to be carried out to design projects or produce deployment area plans.</p>	<p>The Addendum to the Intervention Strategy states the following on General Guidelines and Recommendations:</p> <p><i>"The proper siting of new infrastructure can mitigate the impact on communities, the environment and important habitats. It is acknowledged that the delivery of the necessary infrastructure for the broadband intervention will be achieved through a third party (NBPco)."</i></p> <p><i>"Avoid siting new broadband network infrastructure within, immediately adjacent to or adjoining any Natura 2000 Site in order to limit the potential habitat/species loss impacts and disturbance to habitats and species therein during construction and/or operation."</i></p>

Issued Raised	How has this been addressed?
In addition to the inclusion of a new 'Environmental' chapter, which is to contain the mitigation measures, it may be necessary to revise or amend other aspects of the content of the Intervention Strategy to reflect these measures, and associated implications for project planning and roll out.	An <i>Addendum to the Intervention Strategy</i> has been prepared by DCCAE to take into account the mitigation measures included in the Environmental Report and NIS. It also includes a section on Environmental Monitoring and details on the Intervention Area Map Update. No other changes were made to the strategy.
<p>Some recommended changes to text of the mitigation measures were included, with underlining (and strikethrough) generally indicating text to be added.</p> <p><b>Matters relating to the NIS</b></p> <p><b>Mitigation measure 1 – Policy objective</b></p> <p>... Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, will be met <u>by the relevant public authority, or by the competent authority where planning permission is required.</u></p>	While the recommended changes to text have been updated in the Addendum to the Environmental Report in Section 8 of this SEA Statement and the final NIS, the proposed change has not been reflected in the <i>Addendum to the Intervention Strategy</i> .
<p><b>Mitigation measure 2 – Appropriate skills</b></p> <p>In line with current best practice, it is recommended that the Contractor(s) appoint / include suitably qualified staff including <del>an ecologist</del> <u>ecologists</u> as part of the roll out team, to advise and guide the Contractor(s) on issues relating to environmental protection, <u>compliance</u> with mitigation, <u>assessments</u>, <u>surveys and licences</u> required with particular reference to European sites, <u>nature conservation and biodiversity.</u></p>	While the recommended changes to text have been updated in the Addendum to the Environmental Report in Section 8 of this SEA Statement and the final NIS, the proposed change has not been reflected in the <i>Addendum to the Intervention Strategy</i> .
<p><b>Mitigation Measure 3 – Best Practice</b></p> <p>As a contractor will not have direct obligations in relation to appropriate assessment, it may be more appropriate to rephrase this measure along the lines of ...</p> <p>The Contractor(s) will be required to comply with the relevant statutory obligations in relation to <del>Appropriate Assessment</del> <u>safeguarding and avoiding any damage or disturbance to European sites, other nature conservation sites, and protected species</u> and should have regard to current and best practice guidelines.</p>	<p>The recommended changes to text have not been incorporated into the <i>Addendum to the Intervention Strategy</i>. However, the following mitigation is included:</p> <p><i>“European Site Protection Policy</i></p> <p><i>All plans, projects and works arising from the Intervention Strategy will be developed and carried out in such a way that the requirements of the Habitats Directive (92/43/EC), the Birds Directive (2009/147/EC) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, are met in relation to safeguarding European sites, their conservation objectives and their integrity, and so that deterioration of natural habitats and of the habitats of species, and significant disturbances of species are avoided. Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, will be met.</i></p>
<p><b>Mitigation measures 4 – advice and support of local authorities</b></p> <p>It should be stated that many of the activities may be <del>classed as development or exempted development, or</del></p>	While the recommended changes to text have been updated in the Addendum to the Environmental Report in Section 8 of this SEA



Issued Raised	How has this been addressed?
<u>there may be restrictions on exemptions in various scenarios.</u>	Statement and the final NIS, the proposed change has not been reflected in the <i>Addendum to the Intervention Strategy</i> .
It is noted that recommendations are made for plans to be prepared at 'deployment area' level, e.g. for construction and environmental management, traffic management, waste management, etc. Further consideration should be given to whether plans at 'deployment area' level, which would include broadband deployment, are in effect plans for the purposes of the Habitats Directive and the European Communities (Birds and Natural Habitats) Regulations, 2011.	<p>The <i>Addendum to the Intervention Strategy</i> includes the following objective:</p> <p><i>"Ensure that all development and implementation of plans, projects and works arising from this Intervention Strategy are in compliance with the requirements of the Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC), the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, best practice and the mitigation measures developed as part of the Strategic Environmental Assessment and Appropriate Assessment processes carried out for the Intervention Strategy."</i></p>
<p><b>Mitigation Measure 5 – Governance</b></p> <p>The approach to governance and implementation, which is yet to be developed, should include monitoring and the taking of effective and timely action where problems arise.</p>	<p>The <i>Addendum to the Intervention Strategy</i> includes the following on <i>Environmental Monitoring</i>:</p> <p><i>"The Department recognises the need for monitoring of potential significant environmental impacts arising from the Intervention Strategy and publication of relevant information at the implementation states of the Intervention Strategy. Measures to monitor significant environmental effects of the implementation of the adopted Intervention Strategy are outlined in the SEA Statement, published on the Department's website.</i></p> <p><i>As indicated above, it is intended the contract with NBPco and any related consents will require compliance with all environmental obligations under Law. In this way the contract will reflect the statutory requirements outlined in the mitigation measures relating to European Site Protection Policy and Statutory Obligations in relation to European Sites, specifically in relation to relevant statutory obligations under the Habitats and Birds Directives as transposed in the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011), as amended. It is also intended that NBPco will be required under the contract to provide details of all consents received from relevant authorities in relation to construction activities and</i></p>

Issued Raised	How has this been addressed?
	<p><i>works. The Contract will also reflect the mitigation measures in respect of Best Practice, requiring NBPco to have regard to Guidance relevant to the environment in connection with the deployment, maintenance and operation of the State led intervention network."</i></p> <p>The recommended changes to text have been updated in the Addendum to the Environmental Report in Section 8 of this SEA Statement.</p>
<p><b>Matters relating to the SEA Environmental Report</b> It is noted that the SEA mitigation measures are similar to those in the NIS. Accordingly, the recommendations above also apply to the Environmental Report.</p>	Noted
<p>In relation to SEA monitoring, it is recommended that this is more closely aligned with the mitigation measures of the SEA and NIS, and expanding the specified SEO indicator: <i>"Environmental obligations imposed through NBP Contract including reporting and local authority consent processes"</i>. Further consideration should also be given, prior to plan adoption, to the parameters to be used and the mechanisms required for monitoring to be effective and targeted.</p>	Biodiversity, Flora and Fauna in Table 4-4: SEA Monitoring Programme has been updated.
<p><b>Department of Cultural, Heritage and the Gaeltacht (September 2018)</b></p>	
<p><b>General duties of a public authority</b> In addition to DCCAE's obligations as the 'public authority' with respect to the appropriate assessment process, DCHG wished to draw the Department's attention to Regulation 27 of the European Communities (Birds and Natural Habitats) Regulations, 2011, as this places particular duties on all public authorities in relation to European sites. Among other things, this includes a duty to exercise all functions, including, but not only consent functions, in compliance with, and so as to secure compliance with the requirements of the Habitats and Birds Directives and the 2011 Regulations. Public authorities are obliged, when exercising their functions, to take appropriate steps to avoid the deterioration of natural habitats and the habitats of species in European sites, as well as disturbance of species for which a site has been designated insofar as this disturbance could be significant in relation to the objectives of the Habitats Directive. These obligations should be incorporated into and reflected in the final strategy or plan, where relevant. In addition to measures already specified, this could usefully include the development of systems to monitor</p>	<p>The <i>Addendum to the Intervention Strategy</i> includes the following objective:</p> <p><i>"Ensure that all development and implementation of plans, projects and works arising from this Intervention Strategy are in compliance with the requirements of the Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC), the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, best practice and the mitigation measures developed as part of the Strategic Environmental Assessment and Appropriate Assessment processes carried out for the Intervention Strategy."</i></p> <p>And the following mitigation:</p> <p><i>"European Site Protection Policy All plans, projects and works arising from the Intervention Strategy will be developed and carried out in such a way that the</i></p>

Issued Raised	How has this been addressed?
<p>and ensure the compliance of the 'downstream' projects with these obligations, as well as any internal mechanisms that may be needed to ensure compliance.</p>	<p><i>requirements of the Habitats Directive (92/43/EC), the Birds Directive (2009/147/EC) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, are met in relation to safeguarding European sites, their conservation objectives and their integrity, and so that deterioration of natural habitats and of the habitats of species, and significant disturbances of species are avoided. Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, will be met."</i></p>
<p>It is noted that changes have been made to the published National Broadband Plan – Intervention Strategy by the inclusion of an Addendum to the Intervention Strategy to incorporate and reflect the mitigation measures arising from the SEA process, and as specified in the NIS. These are the measures that are required to mitigate the likely significant effects of the strategy on the environment in general, and on European sites and their conservation objectives in particular. While these measures, and the strategy, will assist in guiding the roll out of high speed broadband, it is noted that the Department of Communications, Climate Action and Environment has acknowledged that additional mitigation measures will be required and will be implemented as part of the contracting process. It is noted that 'project' level environmental assessments, mitigation measures, and applications for consent (e.g. planning permission, road opening licences, foreshore consents, etc.) are likely to be required for aspects of the roll out.</p> <p>While the Department welcomes the inclusion of the Addendum to the Intervention Strategy, it is recommended that the contents of the Addendum be integrated into the main text of the National Broadband Strategy in an Environment chapter.</p>	<p>The contents of the Addendum have not been integrated into the main text of <i>Intervention Strategy</i>.</p>
<p>In relation to Governance (page 5 of the Addendum) the Department notes that the proposals do not appear to provide a clear and transparent mechanism to monitor the environmental consequences of plan-implementation and to monitor implementation of the environmental mitigation measures included in the National Broadband Strategy to enable effective and timely action to be taken where problems arise. Perhaps this is inadvertent and the inclusion is implicit. The Department recommended that a mechanism is put in place to address this matter to include a high level implementation group (proposed as part of the consultation process) together with a staff member(s) in Department of Communications, Climate Action and Environment tasked with monitoring the implementation of the environmental mitigation</p>	<p>While the recommended changes to text have been updated in the Addendum to the Environmental Report in Section 8 of this SEA Statement and the final NIS, the proposed change has not been reflected in the <i>Addendum to the Intervention Strategy</i>.</p>

Issued Raised	How has this been addressed?
<p>measures in the Strategy in consultation with relevant stakeholders. The Department notes the requirement for SEA monitoring to take place over the lifetime of the Plan in accordance with the requirements of the Directive which should be integrated with these measures. The Department further recommended that the results of all such monitoring are made publically available.</p>	
<p><b>Matters relating to environmental assessment documentation</b></p> <p>The Department notes the completion of the SEA Statement, the revised NIS and the draft Appropriate Assessment Determination. The Department recommended that all the environmental documentation associated with the National Broadband Strategy is made publically available in accordance with legislative provisions.</p> <p>The Department stated that it was concerned that the draft Appropriate Assessment Determination does not seem to reflect the requirements of Regulation 42(11) and Regulation 42(16) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended). Regulation 42(11) requires that an appropriate assessment shall include a determination as to whether or not a plan or project would adversely affect the integrity of a European site. Regulation 42(16) underlines this point in stating that a public authority shall give consent for a plan or project, or undertake or adopt a plan or project, only after having determined that “the plan or project shall not adversely affect the integrity of a European site”. The Department recommended that the Appropriate Assessment Determination is made taking these matters fully into account.</p>	<p>The NIS and the Minister’s Appropriate Assessment determination are presented under separate cover.</p>
<p><b>Department of Housing, Planning &amp; Local Government</b></p>	
<p>Both environmental reports relating to the SEA Directive and the Habitats Directive correctly refer to exempted development (available in the Planning and Development Regulations 2001, as amended) as being subject to the restrictions in Article 9 of the same Regulations, specifically with regard to development that requires appropriate assessment. However, it would also be important in the same context, anywhere exempted development is mentioned, that all development is additionally subject to the provisions of Section 4(4) of the Planning and Development Act 2000, as amended, which removes exempted development if either appropriate assessment or environmental impact assessment is required. It would be important that the various environmental documents mention this, particularly with respect to mitigation measures.</p> <p>For information, section 4(4) of the Planning and</p>	<p>The recommended changes to text have been updated in the Addendum to the Environmental Report in Section 8 of this SEA Statement.</p>

Issued Raised	How has this been addressed?
<p>Development Act 2000, as amended, states the following:</p> <p>“4(4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.”</p>	
<b>Inland Fisheries Ireland (IFI)</b>	
<p>IFI highlighted the need to consider impact avoidance in the first instance followed by mitigation through reduction and remedy.</p> <p>Regard should be given to the need for the sustainable development of the inland and marine fisheries resource.</p> <p>IFI also included a list of potential significant impact issues to be considered going forward.</p>	<p>The SEA Environmental Report has considered the potential for significant impacts on water and biodiversity, flora and fauna, including fisheries.</p> <p>The Intervention Strategy is a high level document that provides a framework for the roll out of broadband infrastructure and does not provide location specific detail on how the services are to be delivered on the ground. DCCAE are preparing a contract that will be agreed with the successful bidder. The contract includes a schedule on Environmental Obligations, which it is intended will address the issues of water protection and fisheries further through the application of existing regulations and the use of best practice.</p> <p>During the environmental assessment, the SEA/AA team has provided advice and guidance to the NBP team to raise awareness of impact pathways from the implementation of the Intervention Strategy. They have also engaged in knowledge transfer with the NBP team to try to integrate environmental considerations into the contract documentation.</p>
Request to refer to IFI for further information on fish sensitive waters.	Noted
IFI recommends that the National Broadband Plan should include a statement on the prevention of river fragmentation and encourage the connectivity or the re-connectivity where possible on fisheries waters.	<p>This statement has not been included in the Intervention Strategy.</p> <p>The Intervention Strategy is intended to be a high level document that provides a framework for the roll out of broadband infrastructure. It does not provide detail on how the services are to be delivered on the ground and therefore does not provide detail on specifics such as river fragmentation. DCCAE is preparing a contract that will be agreed with the successful bidder. The contract includes a schedule on Environmental Obligations, which it is intended will address the issues of water protection and fisheries.</p>
IFI should be consulted on any relevant proposed developments.	Noted

Issued Raised	How has this been addressed?
<b>Northern Ireland Environment Agency (NIEA)</b>	
<p>Page 11, Table 1.6, Strategic Environmental Objectives refers to 'protected views'. It is unclear how these are determined and whether cross border 'views' were considered.</p> <p>No account appears to have been taken of the impact on the wider landscape, which despite being outside designated areas, may be of high quality or locally important.</p> <p>Page 13/14, European Site Protection Policy –policy to be expanded to include a requirement to contact NIEA in the event of any likely significant effects on designated European sites within Northern Ireland.</p> <p>Confirmation of availability of Northern Ireland Regional Landscape Character Assessment and Regional Landscape Character Assessment 2000 from DAREA website.</p>	<p>See the Addendum to the Environmental Report in Section 8 of this SEA Statement.</p>
<p>Transboundary aspects on the marine area need to be considered and made more explicit across all SEA topic areas, especially given the shared waters of Carlingford Lough and Lough Foyle. Suggested consideration of UK Marine Policy Statement.</p> <p>Suggested amendments to Environmental Report:</p> <ul style="list-style-type: none"> <li>▪ Page 4 – section 1.5: should be amended to "Ireland shares a land boundary and marine waters with Northern Ireland."</li> <li>▪ Page 40 – Section 5.6.3: reference to the EU Directive is amended to Maritime Spatial Planning Directive</li> <li>▪ The Landscape topic should also have included consideration of Seascape.</li> <li>▪ Page 35 – Table 5.2 and Appendix B should have included the EU Maritime Spatial Planning Directive.</li> </ul>	<p>See the Addendum to the Environmental Report in Section 8 of this SEA Statement.</p>
<p>Recommendation to have regard to spatial datasets for Northern Ireland's Historic Environment, available for download and also need to consider impact on wider setting of historic sites with transboundary element.</p>	<p>See the Addendum to the Environmental Report in Section 8 of this SEA Statement.</p>



#### **4.3.2 Key Issues Raised in Submissions received from Non Statutory Consultees**

Two submissions were received from the public.

- The Chartered Institute of Ecology and Environmental Management (CIEEM) outlined the remit of their organisation, which includes providing advice on ecological matters.
- enet (who operate fibre optic infrastructure known as the Metropolitan Area Networks (MANs) on behalf of the Irish government) made suggestions to add 'where possible' to the wording of mitigation measures regarding the proper siting of new infrastructure in the Environmental Report. It was not considered appropriate to amend the wording of these mitigation measures in this regard, as they were proposed to safeguard the environment.

## 5 PREFERRED SCENARIO AND REASON FOR CHOOSING THE FINAL INTERVENTION STRATEGY

### 5.1 INTRODUCTION

The consideration of alternatives is a requirement of the SEA Directive (2001/42/EC). It states under Article 5(1) that:

*Where an environmental assessment is required under Article 3(1), an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated. The information to be given for this purpose is referred to in Annex I.*

Annex 1 (h) of the Directive clarifies that the information to be provided on alternatives under Article 5(1) is *inter alia* an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information. Article 9 of the Directive requires that a statement shall be prepared providing information on the reasons for choosing the plan as adopted, in the light of the other reasonable alternatives dealt with.

Annex 1 (f) details the environmental topics to be considered in the evaluation of the alternatives, which is the same as that addressed in the assessment of the plan itself: biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors.

In summary, the Directive emphasises that the SEA process must consider alternatives that are “reasonable”, and take into account “the objectives” of the plan, and “the geographical scope of the plan”.

### 5.2 APPROACH TO ALTERNATIVES FOR THE DRAFT INTERVENTION STRATEGY

Given the high level strategic nature of the Intervention Strategy, several levels of alternatives were considered before arriving at a preferred option. These include policy options; models on how to deliver the services; and the types of technology to deliver the services.

Achieving universal access to high speed broadband is a key target under the EU Digital Agenda for Europe (DAE), which envisages that all EU citizens will have access to download speeds of 30Mbps and that 50% of citizens will be subscribing to speeds of 100Mbps. Under the DAE, all Member States are required to deliver national broadband plans by 2012 and Ireland delivered to this deadline with the publication of *Delivering a Connected Society, A National Broadband Plan for Ireland* on 22<sup>nd</sup> August 2012. Subsequently DCCAE evolved the NBP to include the Intervention Strategy which sets out how the State led intervention can be delivered. With this context and background, a ‘do nothing’ scenario was not considered as part of the alternatives, however the

baseline environment chapter considered the evolution of the environment in the absence of the NPB and the Intervention Strategy.

The assessment of alternatives focused on ‘how’ and ‘where’ the high speed broadband services would be delivered as part of the Intervention Strategy. In addition the types of technology and the means to construct were considered in order to fully understand the potential range of impacts on the environment. However, it should be noted that the Intervention Strategy is ‘technology neutral’ i.e. it does not specify the type of technology to deliver the services or the means of delivery e.g. overhead, wireless, underground. A key objective of the Intervention Strategy is to ‘maximise re-use of existing infrastructure’ where appropriate as required by State Aid guidance.

### 5.2.1 Strategic Alternatives Considered

Early discussions with the DCCAE team identified strategic issues which could drive the direction of the Intervention Strategy. These issues and their reasonable alternatives were considered by the SEA/AA team and outcomes fed back to the DCCAE team for consideration. The issues and alternatives considered included:

- To allow market forces drive the delivery of high speed broadband services or State led Intervention requiring preparation of an Intervention Strategy; and
- The ‘technology neutral’ approach and the types of infrastructural technology that can deliver the high speed broadband services including the methodologies for construction of the technologies.

### 5.2.2 Market Forces versus State led Intervention

A key principle of the NBP is to support and stimulate commercial investment through policy and regulatory measures. This collaboration with industry was informed by the Next Generation Broadband Task Force. In May 2012 industry advised Government on measures that could help accelerate investment in high speed broadband. Since then, commercial activity has far exceeded what was envisaged in 2012 and this represents a significant step-change in the quality of broadband connectivity available to many business and residential customers. However, despite this acceleration, industry investment will not extend to all parts of the country. This was recognised in the second key principle of the NBP.

#### Significant Impacts

	BFF	PHH	W	AQ	CF	SG	MA	CH	L
<i>Alt_1 Commercial Only Investment</i>	0	+/-	0	+/-	+/-	0	+/-	0	0
<i>Alt_2 State-Led Intervention</i>	0	+	0	+	+	0	+	0	0

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality – AQ; CF – Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

Overall for *Alt\_1 Commercial Only Investment*, the assessment of alternatives was neutral for the majority of parameters with the exception of PHH, AQ, CF and MA. Under population and human health, and material assets one would expect to see a positive effect as roll out of high speed broadband continues, however those outside commercial catchments would likely to be negatively affected in the short, medium and into the long term as roll out would be slower or absent in such areas. The absence of appropriate broadband infrastructure outside of the commercial centres is likely to require continued reliance on traditional access using public transport to either access goods and services and / or access appropriate levels of broadband. This is indirectly negative in the longer-term for AQ and CF as a result of transport related emissions. Without State led intervention, these areas would suffer long-term negative impacts as social exclusion would be compounded by the lack of digital access and the costs for access to even basic broadband. This could lead to significant negative impacts particular in terms of economy as an imbalance of investment and opportunity for business would develop.

Under *Alt\_2 State Led Intervention*, positive impacts were anticipated for population, and human health, and material assets as it would bring certainty on service level and roll out timelines. It would ensure social connectivity across the country and contribute to improved economic opportunities throughout the country by allowing businesses to further develop through facilitating access to a higher speed of broadband. Furthermore it would reduce dependence on private car for access to services which could be accessed via broadband.

**Preferred Alternative and Reasons for Choosing the Preferred Alternative:** *Alt\_2 State-Led Intervention* was the preferred alternative. This alternative facilitates realisation of EU and national policy on appropriate access to broadband. It further ensures that communities and businesses have similar opportunities to benefit from connectivity across the county. The Government has therefore committed to a State led intervention into those areas where it has been demonstrated that there is no certainty that industry investment will be forthcoming.

### 5.2.3 Technology Neutral Approach and the Types of Technology to Deliver the High Speed Broadband Services

The Intervention Strategy is technology neutral in that it does not specify the type of technology to deliver the required technical specifications. Therefore, the alternatives assessment examined the two principle technologies that could be utilised in the roll out of such services at the required standard. These technologies are: wireline; and wireless. The use of satellite was not considered as an option under alternatives as it cannot currently meet the minimum specific technical requirements of high speed broadband set out in the Intervention Strategy.

Wireline connects a service through copper wires or optical (glass) fibre(s) that terminate in a fixed location at a customer premises. This is in contrast to a wireless solution, which does not rely on a physical connection to the premises. Instead wireless infrastructure, such as antennae are fixed to existing or new masts and a further antenna is attached to the premises being served. It was acknowledged that DCCAE recognises the cost and environmental benefits of reusing existing physical infrastructure as far as possible so that excavations or new builds are kept to a minimum. By re-using existing infrastructure such as poles, ducts, buildings, cabinets and masts where appropriate, the cost of the intervention to the State would be minimised.

The alternative methodologies that were examined include:

- Wireline:
  - Reuse of Existing Overhead (OH) Infrastructure to support aerial cables;
  - Construction of new overhead infrastructure (poles) to support aerial cables
  - Installing cables into existing underground infrastructure; and
  - Installing Cables into New Underground Infrastructure.
- Wireless:
  - Reuse of Existing Masts to Support New Wireless Infrastructure; and
  - Construction of new Masts to Support Wireless Infrastructure.

#### 5.2.3.1 Wireline – Reuse of Existing Overhead (OH) Infrastructure

The reuse of existing OH infrastructure involves either stringing cables onto existing OH telecommunications infrastructure (in general such infrastructure runs alongside the road network) or onto existing OH electricity infrastructure (which in general traverses rural countryside).

#### Stringing Cables onto Existing OH Telecommunications Infrastructure

This technology involves stringing cables onto existing OH telecommunications infrastructure, which in general runs adjacent to the road network. Drop cables to houses would run from the nearest OH pole to the house or underground in an existing or new duct. To facilitate the stringing of cables, underlying hedgerows and trees/branches of trees would require trimming with some removal. Some poles and copper cable may also require replacement and subsequent disposal and excavation work may be required for installation of new poles. Post construction, preventative maintenance would include tree/hedge trimming programme on a cyclical multi-annual basis, pole testing (approximately every 7 years) and any repair work if damage occurred. This is standard operating practice for existing networks.

There may also be a need for new supporting above ground infrastructure e.g. cabinets, which would depend on the type of technology and infrastructure installed and on the number of houses encompassed by the access network. Cabinets for example can range in size from small street side cabinets to larger compounds e.g. 5m x 3m. However, it should be noted that, where possible, existing cabinets and/or existing buildings could be used to provide facilities for the new network. Also where the access network is composed of copper pairs, power would be required at new cabinets locations.

#### Significant Impacts

	BFF	PHH	SG	W	AQ	CF	MA	CH*	L
Existing Telecoms	0/-	+/-	0/-	0/-	0/-	0/-	+/-	0/-	0/-

\*Only applicable where disturbance to ground is required.

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality – AQ; CF – Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

The reuse of existing overhead telecoms infrastructure to provide high speed broadband would be broadly positive for all environmental receptors because it would reduce greenfield disturbance and the need for new poles. Negative impacts associated with the stringing of cables onto existing OH infrastructure would include disturbance to birds, bats and other protected or sensitive species particularly in relation to hedgerow cutting<sup>1</sup>, leading to potential negative impacts on biodiversity, flora and fauna as a result of construction and ongoing maintenance. The construction phase may also result in additional traffic on the road network. This could also lead to increased levels of dust and noise and as a result impact on population/ human health and air quality. Should excavation be required or access away from the road network, there would be potential for disturbance to ground including archaeological, architectural and cultural heritage features. In the majority of cases, the above impacts would be neutral to negligible and activities described above could be mitigated through the application of good construction practice measures.

During the maintenance/operational phase, as with all technologies, positive impacts were anticipated for population and human health and material assets, associated with access to high speed broadband services. Negative impacts on biodiversity, flora and fauna were considered possible as a result of tree/hedge trimming / maintenance programmes. Similar impacts to those outlined during the construction phase could also arise on a localised scale should poles require replacement or other similar works to those described during the construction phase. It was noted that for all existing infrastructure that could be re-used to facilitate the high speed broadband services, such maintenance activities are already taking place to maintain the existing network. However, it is likely that such maintenance activities would be reduced or remain the same as a result of the new services.

### **Stringing Cables onto Existing OH Electricity Infrastructure**

This technology involves stringing fibre cables onto existing OH electricity infrastructure, and similar to reuse of telecoms infrastructure, would be broadly positive for all environmental receptors because it would reduce greenfield disturbance and the need for new pole sets.

In the case of reuse of electricity lines, such infrastructure is generally located away from the road network and therefore would require machinery access through agricultural fields, bogs, etc. in rural areas. To facilitate the stringing of cables, any underlying hedgerows and trees/branches of trees in the way would need to be trimmed back. The use of tracked machinery would be required. Poles and copper cable may require replacement and subsequent disposal and new stays (to support poles) may have to be installed. Some excavation may also be required. After construction, maintenance would require tree/hedge trimming. Drop cables to houses would run from the nearest pole overhead to the house or underground in an existing or new duct.

There is also need for supporting above ground infrastructure e.g. cabinets or local exchange building, which would depend on the type of technology and infrastructure installed, and on the number of houses in the area encompassed by the access network. However, it was noted that, where possible, existing cabinets and in some cases existing exchange buildings could be used to provide facilities for the new network.

### **Significant Impacts**

---

<sup>1</sup> Restrictions on cutting hedgerows are set out in Section 40 of the Wildlife Act 1976 as amended by the Wildlife (Amendment) Act 2000. These Acts stipulate that it is an offence to destroy vegetation on uncultivated land between the **1st of March** and the **31st of August** each year.



	BFF	PHH	SG	W	AQ	CF	MA	CH*	L
Existing Electricity	0/-	+/-	0/-	0/-	0/-	0/-	+/-	0/-	0/-

\*Only applicable where disturbance to ground is required.

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality - AQ; CF– Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

The reuse of existing infrastructure minimises the potential for environmental impacts, however the stringing activity has the potential for impact, the significance of which will depend on the sensitivity of the receiving environment. As with the use of existing telecoms infrastructure, negative impacts associated with the stringing of cables onto existing OH infrastructure could include disturbance to birds, bats and other protected or sensitive species particularly in relation to hedgerow cutting leading to potential negative impacts on biodiversity, flora and fauna as a result of construction and ongoing maintenance. In addition, access across lands would be required leading to potential for ground/crop disturbance. This could lead to negative impacts on land and material assets, particularly in areas where crops and livestock may be present. Release of suspended solids as a result of ground disturbance also has potential to result in changes to water quality as a result of run-off. This in turn could impact on aquatic biodiversity. Ground disturbance also has the potential to give rise to soil / slope instability related issues in peatland/areas of soft ground.

The construction phase may also result in additional traffic, which could lead to increased levels of dust and noise and as a result impact on population/ human health and air quality. Should excavation be required there is the potential for disturbance to ground including archaeological, architectural and cultural heritage features. In the majority of cases, these impacts could be neutral to negligible and the activities described above could be mitigated through application of good construction practices.

During the maintenance/operational phase, as with all technologies presented, positive impacts are anticipated for population and human health and material assets, associated with access to high speed broadband services. Negative impacts on biodiversity, flora and fauna are possible as a result of tree/hedge trimming/ maintenance programmes. Similar impacts to those outlined during the construction phase could also arise on a localised scale should poles require replacement or other similar works to those described during the construction phase. It was noted that for all existing infrastructure to be reused to facilitate the high speed broadband services, such maintenance activities are already taking place to maintain the existing network. However, it is likely that such maintenance activities would be reduced or remain the same as a result of the new services.

### Installing Cables into Existing Underground Infrastructure

This technology involves installing the cables into existing underground infrastructure e.g. telecommunication ducts, electricity ducts or other utilities' duct network. Excavation would only be required in certain circumstances e.g. to install access chambers or to clear duct blockages or replace damaged or missing duct sections. Existing underground infrastructure is generally located adjacent to or within the footprint of the road network. Access would be required at existing/new access chambers. In general there would be little or no routine maintenance carried out on underground networks. Occasionally should the network get damaged e.g. impacted on by excavation from other non-associated works, some repair work may be required.

There would also be a need for supporting above ground infrastructure e.g. cabinets or local exchange building, which would depend on the type of technology and infrastructure installed and on the number of houses in the area encompassed by the access network. However, it was noted that where possible existing cabinets, and in some cases existing buildings, could be used to provide facilities for the new network.

### Significant Impacts

	BFF	PHH	SG	W	AQ	CF	MA	CH*	L
Existing Underground	0/-	+/-	0/-	0/-	0/-	0/-	+/-	0/-	0/-

\*Only applicable where disturbance to ground is required.

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality - AQ; CF– Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

The reuse of existing infrastructure would minimise the potential for environmental impacts, however, the installation of telecommunications infrastructure into existing ducts has the potential for impact mainly as a result of excavation to access services. The main potential for negative impacts would relate to localised and release of suspended solids habitat or species disturbance.

### Installing Cables into New Underground Infrastructure

For this alternative, there is no underground infrastructure in existence and network design would require the installation of new underground infrastructure. The underground infrastructure would consist of new ducts into which cables would be installed; associated access chambers would also be required.

The construction work involved would consist of the excavation of a trench in the grass margin, footpath or roadway and the installation of a duct into this trench. The trench would then be backfilled and the surface reinstated. In some cases (e.g. alongside rural roads or across private property), new duct or sub ducts (plus cable) might be installed using mole ploughing methods. This technique would require more ground surveying in advance to ensure and mitigate impact or damage to other surrounding utility services. From an environmental perspective, it would reduce the amount and depth of excavations and the amount new materials and equally a lesser amount of spoil for disposal/reuse.

In this case there is minimal disturbance to the ground surface and little or no reinstatement is required. In general there would be little or no routine maintenance carried out on underground networks. Occasionally should the network get damaged e.g. impacted on by excavation from other non-associated works, some repair work may be required.

There would also be a need for supporting above ground infrastructure e.g. cabinets or local exchange buildings (existing), which would depend on the type of technology and infrastructure installed and on the number of houses in the area encompassed by the access network. Cabinets for example can range in size from small street side cabinets to larger compounds (e.g. 5m x 3m).

However, it was noted that where possible existing cabinets and existing exchange buildings can be used to provide facilities for the new network.

### Significant Impacts

	BFF	PHH	SG	W	AQ	CF	MA	CH*	L
New Underground	0/-	+/-	0/-	0/-	0/-	0/-	+/-	0/-	0/-

\*Only applicable where disturbance to ground is required.

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality - AQ; CF– Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

During the construction phase the excavation works have the potential to have temporary negative impacts on biodiversity, flora and fauna through disturbance to habitat and species depending on the sensitivity of the area under construction. The construction phase may also incur additional traffic, which could lead to increased levels of dust and noise, which may impact on population/human health and air quality. Potential spillages (e.g. fuels) have the potential to impact on soils and/or water quality. Should excavation be required away from the road network, there would be greater potential for disturbance to ground/slope stability in addition to archaeological, architectural and cultural heritage features.

Similar impacts to those outlined during the construction phase would arise should repair work be required as a result of damage to ducts. Overall the assessment of impacts was neutral/negative for all parameters except population and human health and material assets, which would result in a positive impact associated with access to high speed broadband services, although negative impacts may arise during maintenance operations.

#### 5.2.3.2 Wireless

##### Use of Existing Masts to support new Wireless Infrastructure

This technology would require the placement of wireless infrastructure onto existing wireless infrastructure or within the same compound as existing wireless infrastructure. End use connection would require antennae at each individual house/business. Existing access routes and hardstanding areas could be used for construction and operational vehicles, hence no disturbance to ground would be expected. However, in order to deliver on the coverage and bandwidth requirements a fibre backhaul may be required, if not already provided; this would require poles and or ducts. Most existing communications links to such masts are delivered by microwave radio links. However, such links are unlikely to have sufficient capacity. Therefore more microwave links with associated consumption of radio spectrum (a finite resource) or fibre backhaul (thus necessitating new duct and or new poles) would be required.

Most existing communications links to such masts are delivered by microwave radio links. The inclusion of additional backhaul microwave radio links could be a less attractive solution as they consume radio spectrum (a finite resource), can be constrained by Line of Sight (LOS) issues and

ultimately have limited capacity. A fibre backhaul solution alternative would be passive, future proofed from a capacity perspective and necessitates the requirement for new underground ducting/sub ducting and / or pole infrastructure.

### Significant Impacts

	BFF	PHH	SG	W	AQ	CF	MA	CH*	L
Existing Masts	0/-	+/-	0/-	0/-	0/-	0/-	+/-	0	0/-

\*Only applicable where disturbance to ground is required.

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality - AQ; CF– Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

Assuming no interference with ground is required, any new impacts on biodiversity, flora and fauna as a result of construction activities would be limited to disturbance from construction traffic accessing existing masts. This disturbance could lead to negative impacts on local communities due to increased levels of dust and noise, which may impact on population/ human health and air quality. If not adequately controlled, potential spillages during construction could impact negatively on soil and/ or water quality. As no excavation would be expected, there would be minimal potential for disturbance to ground and therefore low risk of direct impact to archaeological, architectural and cultural heritage features.

As with all technology alternatives, the presence of the technology would lead to positive long-term impacts for population and human health, and material assets associated with access to high speed broadband services. Negative impacts could arise as a result of the presence of the additional infrastructure on the mast e.g. visual disturbance with indirect negative impacts for material assets (e.g. eco-tourism, sightseeing, recreational land uses). Negative impacts on biodiversity, flora and fauna could arise as a result of clustering of infrastructure, which may result in increased collision risk for bats and/ birds. Similarly it must be acknowledged that visual intrusion from masts may impact indirectly on existing archaeological, architectural and cultural heritage features. Interference with existing signals for other telecoms may result in negative impacts for material assets.

### Perceived impacts from electromagnetic fields may be a concern for local communities.

The use of existing masts/infrastructure to support additional antenna would result in minimal changes to the landscape. Antenna required at all homes/businesses requiring connection would result in negative impact to the landscape, the level of which will depend on the sensitivity of the surrounding area. The antennae mounted on homes and business premises are likely to be small and have the same visual impact as TV antennae.

### Construction of New Masts to support new Wireless Infrastructure

This technology would require the construction of new masts to support wireless infrastructure and associated access roads and sub stations. Such masts are normally constructed on more elevated ground. Connection via wireless technology would require an antenna at each individual served house/ business.

## Significant Impacts

	BFF	PHH	SG	W	AQ	CF	MA	CH*	L
Maintenance Phase	-	+/-	0/-	0/-	0/-	0/-	+/-	0	-

\*Only applicable where disturbance to ground is required.

**Key:** BFF – Biodiversity, Flora and Fauna; PHH – Population, Human Health; SG – Soils and Geology; W – Water; Air Quality - AQ; CF– Climatic Factors; MA – Material Assets; CH – Cultural Heritage; L – Landscape.

Note: Plus (+) indicates a potential positive environmental impact; Minus (-) indicates a potential negative environmental impact; Plus/minus (+/-) indicates that both positive and negative environmental impacts are likely or that in the absence of further detail the impact is unclear; and Zero (0) indicates neutral or no environmental impact.

This type of alternative technology would require access and construction in remote areas with significant potential for negative impacts on the receiving environment, depending on the sensitivity of the area and the wider Zone of Impact. During construction, significant deployment would be required in upland areas with potential for negative impacts for all environmental receptors. Negative effects could include disturbance of Biodiversity, Flora and Fauna, including habitats and species, habitat loss, collision risk and impact on supporting habitats and features as a result of release of suspended solids. Any excavation works particularly in areas of peat/soft ground would have the higher potential for disturbance to ground/slope stability and for release of suspended solids with potential negative impacts on water quality.

The construction phase could result in additional traffic, which could lead to increased levels of dust and noise, impacting on population/ human health and air quality. Works also have the potential to impact on archaeological, architectural and cultural heritage features.

See impacts listed under ‘Use of existing masts to support new Wireless Infrastructure’. However, in addition, the presence of new masts could result in further potential for impact on biodiversity, flora and fauna, as follows:

- Direct loss of habitats and habitats of species, inside and outside protected sites (sites protected under European or national legislation)
- Introduction of barriers to habitat and species connectivity and fragmentation
- Collision risk
- Reducing the suitability of areas for use by certain species.
- Transboundary and cumulative effects could arise with other infrastructure development (e.g. roads, electricity, recreational such as greenways) as well as with other sectoral plans and developments (e.g. forestry, agriculture, bioenergy)

In addition, the new masts could result in a permanent negative impact on landscape, the level of which will depend on the sensitivity of the landscape.

### 5.2.3.3 Overall Summary of the Technologies

The technologies described above which involve the reuse of existing infrastructure have the least potential for environmental impacts as physical activities (excavation and disturbance) and the requirement of natural resources are lower. The construction of new underground infrastructure to support high speed broadband services has the potential to result in more negative impacts particularly on biodiversity during construction, while the construction of new above ground infrastructure i.e. masts has the potential to result in negative impacts on biodiversity, population and human health and the landscape during the operational phase. However, mitigation measures

including appropriate site selection could be applied to reduce the impacts arising from all technologies to ensure the protection of the environment.

As the Intervention Strategy is technology neutral no single technology was preferred. However, the preferred strategy is to maximise the reuse of existing infrastructure so as to minimise the impact on the environment. All technologies can be considered for the delivery of high speed broadband services, once mitigation is applied to avoid and/or reduce the potential for negative impacts on the environment.

### 5.3 PREFERRED STRATEGY AND REASONS FOR CHOOSING

Considering the strategic alternatives addressed above, the preferred strategy was identified as being a State led intervention to ensure the national roll out of high speed broadband services to every home and business in Ireland.

The preferred strategy established the Intervention Area in the form of the 'High Speed Broadband Map' to ensure that public funds are not spent where commercial investment is forthcoming. Under EU State Aid guidelines, the Government could only intervene in the market where there is proven market failure.

The preferred Intervention Strategy is 'technology neutral' because it affords the greatest opportunities for consideration of a range of technology solutions to deliver the required technical specifications at the procurement stage. This flexibility allows for regional and local solutions to be applied.

To ensure that citizens and businesses have access to reliable, future proofed services, the preferred Intervention Strategy would require the build-out of a wholesale, open access network capable of meeting defined minimum standards that is future proofed. In order to facilitate a competitive market where retailers can provide services to all premises in the Intervention Area, the wholesale network to be built would have to include provisions to deliver backhaul and access to premises.

Retailers will not be permitted to use the network to offer broadband products that fall below the minimum broadband service (outlined above) to consumers until deployment of the network is completed and a minimum 30 Mbps download, 6 Mbps upload service is available to all.

The preferred strategy requires that the contract for the roll out of services be awarded by way of procurement through a competitive dialogue procurement process. This process will allow the integration of mitigation identified in the SEA and AA processes into the procurement process and ultimately the implementation of the Intervention Strategy. The procurement spans a 25 year contract with the initial years relating to network deployment and embedding service delivery. Robust governance arrangements are required in order to ensure that the service is delivered and evolves to continuously meet consumer demand over the duration of the contract, and beyond. As the contracting authority, DCCAE will lead, manage, enforce and be responsible for the overall management of the contract, including contract governance. These arrangements would also assist with managing any potential negative impacts on the environment.

The preferred Intervention Strategy endeavours to minimise negative environmental effects by ensuring that environmental considerations are incorporated into the Intervention Strategy. This



includes recognising the environmental benefits of reusing existing physical infrastructure as far as possible so that excavations or new builds are kept to a minimum.

The preferred strategy includes the following key objectives:

- Deliver the intervention as quickly as possible to ensure a national high speed broadband network for Ireland
- Every home and business to have access to high speed broadband with a choice of service providers
- Ensure that the network can meet current and future demand
- Maximise re-use of existing infrastructure
- Incentivise additional commercial investment
- Stimulate growth and retention in jobs while enabling e-farming, e-health, trading online, e-education, tourism, savings for consumers etc.

In addition to the stated objectives for the State led intervention under the NBP the Addendum to the Intervention Strategy includes an additional environmental objective to the Intervention Strategy objectives:

- Ensure that all development and implementation of plans, projects and works arising from this Intervention Strategy are in compliance with the requirements of the Habitats Directive (92/43/EC) and the Birds Directive (2009/147/EC), the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No.477/2011) as amended, best practice and the mitigation measures developed as part of the Strategic Environmental Assessment and Appropriate Assessment processes carried out for the Intervention Strategy.

The preferred strategy requires that the network must pass all residential and business premises in the intervention area, and to connect premises on request during deployment. Passing premises means that the network is built sufficiently close to premises so that the final connection to the premises is as short as possible so that it meets the target service provision times as set out in the contract.

A key principle of the preferred Intervention Strategy is that prices are affordable for connecting consumers. Also, the stronger the demand for services, the lower the likely cost of the intervention to the State which ultimately delivers better value for money to the Exchequer. Ensuring strong demand for services is therefore proposed as an important principle underpinning the preferred Intervention Strategy.

There are a number of commitments from DCCAE in terms of implementation informing the seven objectives of the Intervention Strategy :

- The Intervention Strategy encompasses those areas where commercial investment has not been realised or where no concrete plans exist to provide high speed broadband in the investment planning of private sector broadband suppliers. Recognising that these plans may alter, DCCAE will monitor the ongoing delivery of broadband in the commercial areas, to ensure

that commercial investment has been realised to the extent identified. Where the planned commercial delivery has not been realised, these areas may be included in the intervention. The purpose of this monitoring is to ensure no homes or businesses are overlooked in terms of access to the services;

- The objectives have been updated in the Intervention Strategy to state DCCAE commitment to its obligations under the Habitats Directive (92/43/EEC) and the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No 477 of 2011) in terms of the implementation of the Intervention Strategy. This objective will be evidenced through procurement requirements and obligations imposed on contractors and also through liaison with other authorities involved in delivery of the strategy (e.g. planning authority, road authority.)

As part of the contractual arrangements to be agreed with the successful bidder, DCCAE require that the construction of infrastructure to deliver and maintain the services are undertaken in accordance with all environmental obligations under law and in compliance with any necessary consents.

## 6 ASSESSMENT OF CHANGES TO INTERVENTION STRATEGY

An Environmental Report was prepared in 2017 which recorded the strategic environmental assessment of the draft Intervention Strategy. The Environmental Report, the Intervention Strategy and a Natura Impact Statement were the subject of a public consultation in early 2018. Following a comprehensive review and consideration of all the submissions, DCCAE have responded with changes to the Intervention Strategy prior to finalisation by preparing an *Addendum to the Intervention Strategy*. The changes made have been assessed for potential significant environmental effects in accordance with both the SEA Directive and the Habitats Directive to inform the process prior to finalisation and this screening of changes is recorded below.

The function of the *Addendum to the Intervention Strategy* is to incorporate the environmental mitigation measures from the Environmental Report and NIS into the Intervention Strategy 2015. The Addendum is divided into three sections as outlined in **Table 6-1**. An assessment of the changes is also summarised in **Table 6-1**.

**Table 6-1 SEA Assessment of Changes to Intervention Strategy arising from *Addendum to the Intervention Strategy***

Proposed Changes to Intervention Strategy arising from <i>Addendum to the Intervention Strategy</i>	Assessment for SEA
Introduction	This section introduces the background to the National Broadband Plan, the SEA and AA processes and consultations. No assessment is required.
Environment	This section describes the mitigation measures from the Environmental Report and NIS, which the Department intends to incorporate into the Intervention Strategy. These measures have been derived from the SEA Environmental Report and the NIS.  No further assessment is required.
Update to the Intervention Area  The Intervention area has been updated in the High Speed Broadband Map.  The <i>Addendum to the Intervention Strategy</i> states:  <i>“The Department does not propose to change the intervention area during the procurement unless it is absolutely necessary to do so, for example for reasons of consistency with State Aid Guidelines or public procurement rules. However changes to the intervention area (including both increases and decreases) can be facilitated after contract award through a contractual change process, which will be included in the NBP contract.”</i>	This is welcomed as it will provide an opportunity to track the roll out in commercial areas is in keeping with commercial commitments. If this is not happening in specific areas, they may need to be included into the Intervention Area.  The proposed modification will not result in any changes to assessment included in the Environmental Report.

<b>Proposed Changes to Intervention Strategy arising from <i>Addendum to the Intervention Strategy</i></b>	<b>Assessment for SEA</b>
<p><i>The Department will continue to engage with operators to confirm that the deployment plans are credible and concrete for these specific areas. If no credible plans are received the Department will consider the inclusion of the unserved premises as part of the State led intervention.</i></p> <p><i>All changes to the Intervention Area will comply with the relevant environmental obligations as outlined in this document.”</i></p>	

## 7 MEASURES TO MONITOR SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE IMPLEMENTATION OF THE ADOPTED INTERVENTION STRATEGY

**Table 7-1 SEA Monitoring Programme** (Following consultation feedback from DCHG in 2018, minor clarifications (highlighted in blue) were made to BFF)

Environmental Topic	Strategic Environmental Objectives (SEOs)	SEO Indicators	SEO Targets	Source
Biodiversity, Flora and Fauna (BFF)	<p>Conserve, protect, maintain and, where appropriate, restore the terrestrial, aquatic, marine and soil biodiversity, and particularly European sites, other nature conservation sites, natural habitats and protected species, in the implementation of the Intervention Strategy.</p> <p>Integrate biodiversity considerations into the Intervention Strategy and the NBP associated procurement process and contract.</p>	<p>(i) The inclusion of appropriately qualified ecologists in broadband roll out team appointed by DCCAE.</p> <p>(ii) Inclusion of appropriate European Site Protection Policy in the Intervention Strategy.</p> <p>(iii) Number of Local Authorities which engage directly with NBPCo on the protection of the biodiversity resource through the requirement for CEMP or similar.</p> <p>(iv) Development of guidelines to assist Local Authorities in ensuring the roll out of the Intervention Strategy does not adversely affect local biodiversity or the Natura 2000 network.</p>	<p>All deployment area plans to be accompanied by a CEMP with appropriate consideration by an ecologist of potential impacts and required mitigation to conserve, protect, maintain and, where appropriate, restore local biodiversity and the Natura 2000 network.</p> <p>AA screening to be completed [and where necessary full AA] for all plans, projects and works arising from the Intervention Strategy roll out.</p> <p>Publication of guidelines before the commencement of the roll out.</p>	<p>DCCAE (i); (ii)</p> <p>Individual Local Authorities (iii)</p> <p>DRCD (iv)</p>
Population and Human Health (PHH)	<p>Promote and encourage access and services for appropriate broadband for all communities.</p> <p><i>It is noted that a Strategic Objective of the Intervention Strategy is that every home and business is to have</i></p>	<p>Number of premises passed by high speed broadband infrastructure per year to ensure all homes and businesses have access.</p> <p>Number of premises connected following delivery of broadband infrastructure.</p>	<p>All premises to have access to high speed broadband.</p>	<p>NBP Contract for obligations which is administered by DCCAE.</p>

Environmental Topic	Strategic Environmental Objectives (SEOs)	SEO Indicators	SEO Targets	Source
	<i>access to high speed broadband (see page 15 of the Intervention Strategy)</i>			
	Protect Human Health and promote wellbeing.	Population exposed to air pollution from particulate matter.	Reduce emissions to air (including noise) and water associated with construction & operational phases.	Local authority consent / streamlining process for roll out requirements.
Water (W)	Prevent deterioration of the status of water bodies with regard to quality and quantity due to the deployment of the broadband Intervention Strategy.	Status of water bodies as reported by the EPA.  Environmental obligations imposed through NBP Contract including reporting and local authority consent processes.	No deterioration in water status attributable to the implementation of the Intervention Strategy and the delivery of high speed broadband services.	EPA collate this data
Air Quality (AQ)	Minimise emissions to air as a result of the deployment of the Intervention Strategy.	Environmental obligations imposed through NBP Contract and local authority consent processes.	Minimise total emissions to air associated with construction activities and vehicles during construction and operational phases.	NBP Contract for environmental obligations which is administered by DCCAE.  Local authority consent / streamlining process for roll out requirements.
Climatic Factors (CF)	Minimise contribution to climate change by reducing emissions of greenhouse gasses associated with the deployment of the Intervention Strategy and adapt to the potential effects of climate change including flooding, through appropriate siting of infrastructure.	Environmental obligations imposed through NBP Contract including reporting and local authority consent processes.	A net reduction in the GHG emissions from the relevant sectors (built environment and transport) as outlined in the National Mitigation Plan.  Minimise GHG emissions associated with construction activities and vehicles during construction and operational phases.	EPA emissions Inventory NBP Contract for environmental obligations which is administered by DCCAE.  Local authority consent / streamlining process for roll out requirements.



Environmental Topic	Strategic Environmental Objectives (SEOs)	SEO Indicators	SEO Targets	Source
Material Assets (MA)	Reuse existing infrastructure as much as possible to minimise impacts on the environment associated with construction of new infrastructure.	Level of intervention which utilises existing infrastructure.  Environmental obligations imposed through NBP Contract including reporting and local authority consent processes .	Maximise use of existing infrastructure in roll out of Intervention Strategy.  Inclusion of opportunities for use of recycled materials where reasonably practicable in network deployment	NBP Contract for environmental obligations which is administered by DCCAE  Local authority consent / streamlining process for roll out requirements
Soil and Land Use (SL)	Avoid conflicts with, and contribute towards, the appropriate management of soil quality and quantity.	Environmental obligations imposed through NBP Contract including reporting and local authority consent processes.	Avoid construction activities in high risk peat / soil stability sites.  No contamination of soils from spillages and storage of materials through good construction practices.  Return all lands crossed for Intervention Strategy to pre-construction state as a minimum.	Local authority consent / streamlining process for roll out requirements.
Cultural Heritage (CH)	Protect places, features, buildings and landscapes of cultural, archaeological or architectural heritage.	Environmental obligations imposed through consent processes and NBP Contract including Contractor engagement with the Department of Culture, Heritage, and the Gaeltacht in on any potential impacts on archaeological and/or historic structure or sites included in the Record of Monuments and Places or Register of Historic Monuments as part of environmental obligations in contract requirements.	No physical damage or alteration (without approval) of the context of cultural heritage features due to deployment of the Intervention Strategy.	NBP Contract for environmental obligations which is administered by DCCAE.  Local authority consent / streamlining process for roll out requirements.

Environmental Topic	Strategic Environmental Objectives (SEOs)	SEO Indicators	SEO Targets	Source
Landscape (L)	Avoid damage to designated landscapes and protected views resulting from the deployment of the Intervention Strategy.	Environmental obligations imposed through NBP Contract including reporting and local authority consent processes .	Sensitive siting of new infrastructure to avoid or minimise impacts on landscape.	NBP Contract for environmental obligations which is administered by DCCAE.  Local authority consent / streamlining process for roll out requirements.

## 8 ADDENDUM TO ENVIRONMENTAL REPORT

### 8.1 INTRODUCTION

This is the Addendum to the Environmental Report for the National Broadband Plan - Intervention Strategy. This chapter serves two purposes: a) to provide clarification and/or additional information following comments in the submissions received during the consultation period on the draft Intervention Strategy and Environmental Report; and b) to identify where the Environmental Report has been updated following consideration of comments received in submissions during the public consultation period. It should be noted that this document supplements and should be read in conjunction with the original Environmental Report.

The clarifications and additional information contained herein (shown in *italicised blue text*) have been provided in order to increase the usefulness of the document for the public and decision makers. However, the amendments proposed are not of such an extent that changes to the content or outcome of the assessment contained within the Environmental Report will be required.

### 8.2 AMENDMENTS BY CHAPTER

#### Non-Technical Summary

Table 1.6 Strategic Environmental Objectives for Landscape and Cultural Heritage have been amended to reflect the potential for transboundary interactions:

- Avoid damage to designated landscapes (*including seascapes*) and protected views (*including cross border views with Northern Ireland*) resulting from the delivery of high speed broadband services.
- Protect places, features, buildings and landscapes of cultural, archaeological or architectural heritage (*including those with potential for transboundary impacts*)

Section 1.6 has been amended to include reference to marine waters:

The baseline description is focussed in the first instance on the Republic of Ireland, however given that Ireland shares a land boundary and marine waters with Northern Ireland, there is potential for environmental impact on air and water quality which are transboundary.

Section 1.9 has been revised as to reflect the amended mitigation outlined below under Chapter 10 Mitigation & Monitoring.

## Chapter 4 Strategic Environmental Assessment

**Table 4-2** – SEA Environmental Assessment has now been amended to include the following footnote:

<b>Landscape</b>	There are no national datasets available for landscape and the information that is available at a county level is not consistent across all of the counties. Focus will therefore be qualitative assessment.
------------------	--

Please note the 'Northern Ireland Regional Landscape Character Assessment' and the 'Regional Landscape Character Assessment 2000' available at <https://www.daera-ni.gov.uk/articles/landscape-character-northern-ireland> for the cross border areas and NI Regional Seascape Character available at <https://www.daera-ni.gov.uk/articles/seascape-character-areas>.

## Chapter 5 Review of Relevant Plans, Policies and Programmes

The [EU Maritime Spatial Planning Directive](#) has been added to Table 5-2 – Key Relevant Policy and Legislation and included in Appendix B Plans, Policies, Programmes.

The reference to the Marine Spatial Planning directive in Section 5.6.3 Water has been amended to refer to the [Maritime Marine Spatial Planning Directive \(2014/89/EU\)](#)

## Chapter 6 Relevant Aspects of the Current State of the Environment (Baseline)

The following text has been added under **Transitional and Coastal Waters (TRACs)** in Section 6.2.4.2

[It is recognised that there is potential for transboundary impacts in relation to shared waters such as Carlingford Lough and Lough Foyle and these also require consideration.](#)

The following text has been added under Section 6.2.7.1 Existing Environmental Pressures/ Problems: Cultural Heritage:

[It is also recognised that there is potential for transboundary impacts in relation to Northern Ireland's cultural heritage including marine cultural heritage.](#)

The following text has been added under Section 6.2.8.2 Existing Environmental Pressures/ Problems: Landscape:

[It is recognised that there is potential for transboundary impacts in relation to seascapes in Northern Ireland such as Carlingford Lough and Lough Foyle.](#)

## Chapter 7 Environmental Protection Objectives and SEA Framework

In Table 7-1 the Strategic Environmental Objectives (SEOs) for cultural heritage and landscape have been amended as outlined in blue text:

- Protect places, features, buildings and landscapes of cultural, archaeological or architectural heritage [\(including those with potential for transboundary impacts\)](#)
- Avoid damage to designated landscapes [\(including seascapes\)](#) and protected views [\(including cross border views with Northern Ireland\)](#) resulting from the delivery of high speed broadband services.

## Chapter 9 Assessment of Preferred Strategy

The last paragraph Section 9.3.2 Cumulative & Transboundary Impacts has been amended to include the blue text shown below:

Similarly, any construction and maintenance works along the border with Northern Ireland have the potential to result in transboundary effects (including marine related) similar to those outlined under objectives 1 & 2.

## Chapter 10 Mitigation and Monitoring

The European Site Protection Policy has been amended:

*All plans, projects and works arising from the Intervention Strategy will be developed and carried out in such a way that the obligations under the Habitats and Birds Directives, and associated implementing legislation (including the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, and the Planning and Development Act 2000 and Regulations 2001 as amended) are fully met. Among other things, obligations to carry out screening for appropriate assessment and appropriate assessment, where required, prior to authorisation will be met by the relevant public authority, or by the competent authority where planning permission is required*

*All development is additionally subject to the provisions of Section 4(4) of the Planning and Development Act 2000, as amended, which removes exempted development if either appropriate assessment or environmental impact assessment is required.*

The following mitigation measures have been amended:

### Appropriate Skills

In line with current best practice, it is recommended that the Contractor(s) appoint / include suitably qualified staff including an ecologists, environmental assessment specialists and an Ecological Clerk of Works as part of the roll out team, to advise and guide the Contractor(s) on issues relating to environmental protection, compliance with and mitigation, assessments, surveys and licences required with particular reference to European sites, nature conservation and biodiversity.

### Best Practice

The Contractor(s) will be required to comply with the relevant statutory obligations relating to environmental protection and should have regard to current and best practice guidelines, in relation to safeguarding and avoiding any damage or disturbance to European sites, other nature conservation sites, and protected species and should have regard to current and best practice guidelines.

## Advice and Support of Local Authorities

While DCCAE is the competent authority for the Intervention Strategy, it is acknowledged that the delivery of the infrastructure on the ground will be more closely overseen by the relevant local / planning authority in each deployment area. Furthermore it is noted that depending on the solution proposed by the successful bidder post procurement, many of the activities may be ~~classified as development or exempted development~~ or there may be restrictions on exemptions in various scenarios.

## Governance

As acknowledged earlier, DCCAE is the competent authority for the Intervention Strategy, however the roll out of broadband in the intervention area will be delivered by a third party (NBPCo to be appointed following a procurement process) and will be overseen by local authorities in accordance with their functions as planning authorities, road authorities etc. In order to ensure that there are robust and transparent mechanisms to oversee the implementation of the strategy and its associated objectives, key elements, and any related actions, it is therefore recommended that DCCAE co-operate with key stakeholders, including but not limited to the DRCD and the local authorities, to develop an approach to governance and implementation of the strategy which will allow for effective protection of the environment. ~~The approach to governance and implementation should include monitoring and the taking of effective and timely action where problems arise; the set up of a high level implementation group that will monitor the implementation of the environmental mitigation measures in the Strategy in consultation with relevant stakeholders; and the results of all monitoring including SEA monitoring be made publically available.~~

### Table 8-1 SEA Monitoring Programme

Biodiversity, Flora and Fauna (BFF) has been updated as reflected by the blue text in **Table 7.1** of this SEA Statement.



## 9 CONCLUSIONS AND NEXT STEPS

The SEA and AA processes carried out during the preparation of the National Broadband Plan – Intervention Strategy have ensured that the potential significant environmental impacts associated with implementation of the plan have been identified and that these impacts have been given appropriate consideration. Consultation on the Intervention Strategy, Environmental Report and NIS has further contributed to the development and finalisation of the Intervention Strategy.

It is envisaged that monitoring and reporting of environmental impacts, both positive and negative, resulting from implementation of the Intervention Strategy will continue over the course of the lifetime of the plan.